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E. York. James Smith was regularly attended to the Office and the Duplicate of the authorizing Law of San Felipe de Austin under the Hand & Seal of the Alcalde was handed him to take charge of the Ferry at San Felipe de Austin.

Whereas the Commissioners Court of Austin County did on the 3rd June last, grant Orders to James Smith to establish a Ferry at San Felipe de Austin on the Brazos River, and whereas the said James Smith has complied with the requisitions of said Orders, and has established said Ferry, and has petitioned the Commissioners Court of said County to grant him the exclusive right of keeping said Ferry for the term of Ten years, and to establish the following rates of ferriage, to wit:

1st. He shall provide and keep in good order the necessary boats for crossing waggons, Horses, and footmen and at the usual crossing places at all times when required by the Commissioners Court of said County, and shall be regulated by said rules as the Court may from time to time establish and shall be authorized to demand and receive the following rates of ferriage, and no other rates whatever, to wit:

For each waggon and team of horses or mules, $1.00
For each Cart and team of horses or mules, 75 cts
For each horse and rider, 25 cts
For each foot passenger, 12½ cts
For each head of horned cattle, 6¼ cts
For each head of Sheep or Hogs, 6¼ cts

2d. He shall keep a true account of the amount of Ferriage received by him and of the expenses and disbursements in repairing or building boats &c and render an account of the same to the County Court of Austin County or Town Authorities aforesaid when required.

3d. He shall open for the use of the public a good, safe, and sufficient Ferry for the use of the citizens of Austin County and the public generally, and shall not refuse or neglect to attend to the crossing of the Ferry at any reasonable hour of the day or night when required by the Commissioners Court of said County or by any person wishing to cross the River.

4th. He shall be authorized to retain all the moneys received from said Ferriage as a compensation for keeping said Ferry in order, and attending to it, and keeping the Ferry boats in repair.

5th. This grant shall continue in force, until the Commissioners Court of said County of Austin shall otherwise legislate in the premises, or the County of Austin shall by Law be laid off into Counties, in which case this grant shall be void, so far as the same relates to the Ferry at San Felipe de Austin.

Given under my hand this 3rd day of June A.D. 1830.

J. F. Austin

2 fo-
T. Toby & Bro-
relative to
Guerra and
Padorani
Visiting
Texas-

Republic of Texas
State Department

Columbia 12 Nov: 1836

Messrs Thomas Toby and Brothers,
Gentlemen,

I am directed by the President to acknowledge the receipt of your letter of 22d ult: in relation to the visit of Messrs Guerra and Padorani to this place, and to say in reply that this Government will keep in view the information contained in your letters as well as that communicated by those Gentlemen, thanking you for the zeal you have displayed in this matter and requesting that you will continue to communicate all the information you can procure relative to the political situation of Mexico, the movements of troops and vessels of war, and all other matters which may be interesting for us to know

Very respectfully
Your Obt Servt
(Signed) S. F. Austin
Secy of State —

Recd Nov 19th 1836
Ans dated
Nov 19th 1836

To
T. Toby & Bro.
relative to
Stationary-

Department of State

Columbia November 19th 1836

Messrs Toby and Brothers
New Orleans

Gentlemen,

There are various articles which are indispensable in the Offices of the different departments and the impossibility of obtaining them here I my apology for troubling you with them. You would oblige me by procuring such as are enumerated in the subjoined list, and having them directed to the Department of State, Columbia. An early attention to this request will relieve the Government from much inconvenience

Respectfully Your Obt Servt
(Signed) S F Austin
Secy of State

1 Letter Book
1 Record do
1 Register
} These three large and well bound lettered on the back Letter books, Department of State & ruled but not crossed longitudinally

4 Blank books Lettered Department of State.
½ doz small blank books for memo acts &c 3 do
2 Reams of superfine light blue letter paper
4 " do Foolscap
Sealing wax & wafers a good supply
Black lead pencils and quills
3 Cards best quality Steel pens
Stamp with a star in it
4 large inkstands
½ doz Vials, red ink
6 bottles black ink

1/2 doz papers with Powder
2 Ivory Folders
1/2 doz red tape
3 Penknives
3 round Rulers
4 Sand boxes and a good supply of Sand
6 Candlesticks, brass with large bottoms
4 Snuffers
1 M Wax Candles
Regulations of the U. S. in relation to the four Departments of State Treasury, War & Navy
Elliot Diplomatic Code
Story on the Constitution of the United States
Kents Commentaries
Form book, Containing such forms as are used in the United States for Civil Commissions, Credentials and other State documents
Land laws of the United States
2 Large Inkstands for the safety of the public archives
1 Piece of green baize for table Covers &c
Slips of Wrapping paper; Convenient Quantity of each Blotting paper &c
2 large Penknives
Civil Code of Louisiana

U.S. Legation, Paris, 12th Dec. 1836

To
The President of
Texas relative
to the movements
of the Mexicans
during the war

Department of State
Colombia November 21st 1836

To His Excellency Sam Houston
President of Texas

I have the honor to report to the President of Texas that I have lately obtained possession of the accompanying Pamphlet, published in the City of Mexico in the Spanish Language, entitled "Representacion dirigida al Supremo Gobierno por el General Vicente Filisolas sobre la Campaña de Texas" (Representation directed to the Supreme Government by General Vicente Filisola on the Campaign of Texas) which gives a history of the military movements and views of the enemy during the Invasion of Texas by the Mexican army last Spring, that in my Opinion is of importance to the public interests, and will be very unpleasant to the people in General.

I therefore Respectfully recommend that the said pamphlet be translated into english and published in pamphlet form at the Expense of the Government, for which purpose, I also Respectfully recommend that this subject be laid before the House of Representatives by a Special message in order that the necessary Appropriations should be solicited from Congress to pay the Expense of translating and printing

I have the honor to be your most ob

(Signed) A. J. Donelson
Sec'y of State.

4
No.
Secy of Treasury-
relative to
Mr Wharton's
mission to
Wash.n City-

(1)
Department of State
Columbia December 25th 1836

To the Honorable Secretary of the Treasury
Sir,

Herewith I have the honor to enclose you for your information certified copies of two letters addressed to Hon. W. H. Wharton Minister plenipotentiary to the United States of America and Messrs Thomas Toby and Bro Agents of Texas on the subject of the services of Mr Wharton's mission to the City of Washington.

With high Consideration &c
I have the honor to be
Your Obt Servt
F. Castello Ch. de St Dept

No
Don Francisco
Pizarro Martinez
Mexico Consul
at N. O.--
relative to
exchange
of Prisoners-
&c-

Republic of Texas
Department of State

Columbia, Texas Nov 30th 1836

His Excellency the President of Texas, animated by those noble and liberal sentiments of humanity and liberality which have characterized the people and Government of Texas, in the contest with Mexico, has directed me to open a Correspondence through you for the purpose of arranging for the mutual Release of all the Prisoners of war in the possession of either party, and to say to you that this object can be effected on the following terms.

1st All the Texian Prisoners of war at Matamoras or elsewhere in possession of the Mexican Government shall be delivered at Braza Santiago to an Agent of this Government who will be appointed for that purpose

2d The same number of Mexican Prisoners according to rank shall be set at liberty in exchange for said Texian prisoners, and delivered to an Agent of the Mexican Government at Galveston.

3d All the other Mexican Prisoners of war in possession of this Govt shall be liberated on their parole of honor not to bear Arms against Texas nor in the Mexican Army at any point or place whatever during the war unless they are first regularly exchanged.

4th The said Texian Prisoners shall be embarked at Braza Santiago by the said Agent of this Government in a vessel or vessels under the Flag of the United States of America, chartered for that purpose at the expense of this Government. And the said Mexican Prisoners shall in like manner be embarked at Galveston in vessels of the United States of America chartered for that purpose by the said Mexican Agent at the expense of the Mexican Govt

5th The necessary passports shall be mutually furnished by the Mexican authorities to the Texas Agent who takes charge of the Texas prisoners at Matamoras Braza Santiago, and by those of this Government to the Mexican Agent who takes charge of the Mexican prisoners at Galveston, and also a safe conduct to the vessels and persons on board of them, to their respective ports of destination, &c

that they shall not in any manner be attacked or molested by the armed vessels, Caimans or forces of either party.

In order to safe delay, the answer to this Communication may be made through Thomas Toby, Texas agent in New Orleans and should the above proposition be acceded to, the said Thos Toby will be fully authorized by this Government to close the terms for its prompt fulfilment in every particular

I take this occasion to present to you the assurances of my personal Consideration and Respect

(Signed) S. F. Austin Secy of State

To Don Francisco Pizaino
Martinez
Mexican Consul New Orleans

Fm.
D. Toby & Bro.
relative to an
exchange &
release of
Prisoners &c

Republic of Texas
Department of State

Colombia November 30th 1836

To Thomas Toby & Brothers
Texas Agents New Orleans

By order of the President

I enclose to you a letter to the Mexican Consul, New Orleans, on the subject of an exchange and release of prisoners which you will please deliver to him.

It is not presumed that any material objection will be made to the proposition contained in the letter to the Consul

There are about Four hundred more Mexican prisoners in our possession, than of ours in theirs, and yet we offer to release them all on the most liberal terms.

Should the enclosed proposition be acceded to by the Mexican Government or by the Commanding General of the Mexican Army at Matamoras, you will proceed to state and arrange, by a written agreement, with the Mexican Consul, or Agent who may be Authorized by the proper Mexican Authority to close the arrangement; all the necessary details as to the mutual delivery of prisoners, their transportation, &c. &c. in conformity with the basis laid down in the enclosed letter

It would expedite the release of the prisoners if the Commanding General at Matamoras were to release our Prisoners and send them up immediately. Should he do so, all the Mexican prisoners in our possession would be immediately released and delivered to the Agent of the Mexican Government appointed to receive them, agreeably to the basis proposed in the enclosed letter to the Consul

You will send to this Department as soon as possible the result of your Conference with the Consul on this and his answer.

I am respectfully Your Obt Svt
S. F. Austin Secy of State

S. F.

P.S. Should the arrangement be Completed in a manner that will be obligatory and unquestionable you will employ a vessel and an Agent without delay to bring up our Prisoners Some of the vessels that trade to Matamoras Could no doubt be Chartered to Land them at Velasco as those Vessels generally Return in ballast and it will not be much out of their direct road to touch at the mouth of the Brazos river; Some one at Matamoras may also act as Agent.

The expenses for the maintenance of Prisoners by both parties may remain for future adjustment and should be So understood in the Agreement

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To-
A. S. Yates
Relative to an Exchange of Prisoners of War ----

See page 130. for letter date 7th Inst

Department of State
Colombia Dec 7th 1836

Mr A S Yates

On the 30th day of last month the Messrs Thomas Toby and Brothers Texas Agents in New Orleans were instructed by this department to have an interview with the Mexican Consul in that City on the subject of the mutual exchange of Prisoners of war, A letter from this Department to the Mexican Consul on the subject was sent to Toby & Brothers open, you will call on those Gentlemen and aid them all in your power in this subject Reporting to this department the result

Yours respectfully
(Signed) S. F. Austin
Secy of State

To-
Secy of Treasury
Relative to Salary and Outfit of Mr. A. Wharton Minister to U. S.

Department of State
Colombia Dec. 14th 1836

To the Hon Secy of the Treasury

I have the honor to enclose to you the Copy of a letter of this date from this Department to the Hon Wm Wharton Minister to the U. States authorizing him to draw upon your Department for his salary of Four thousand and five dollars, as it becomes due Quarterly, and to call on David White of Mobile to cash his Drafts and also authorizing him to call on said White to cash his drafts drawn under the authority given by this Department on the 19th ult to draw on you for Five thousand dollars for his outfit as Minister. In case he had not been able to cash said latter drafts from other Resources which I Communicate to you by order of the President, in order that you may take the proper note thereof, and advise Mr David White accordingly, to hold the funds for Mr Whartons drafts in Readiness

I have the honor to Remain
Your most Obt
(Signed) S. F. Austin Secy of State

I. I. C. also enclose you the Copy of my letter of this date to F Catlett

See of Legation to the U.S. of A authorizing him to draw on you for Two Thousand dollars, being one years Salary as Sec of Legation.

See page 131. of this Book Letter to Judge Wm Hendricks of Nov 15. 1836.

Department of State
Columbia 15th Dec. 1836

To-

T. Toby & Bros.

Relative to Stationary &c----

To Messrs T. Toby & Brothers
Gentlemen

I am instructed by the Hon. S.F. Austin Secretary of State to acknowledge the receipt of your letter of the 6th instant; enclosing to him a bill of lading of Two Trunks and two boxes, shipped on board the Schooner Julius Caesar, on account of the Government, these are not yet received; but we make no doubt, that they will come to hand in the course of tomorrow; and that all on board will be found highly satisfactory - The Stationary will come quite seasonably, and is in great demand. The books of which you write are anxiously expected.

I am also directed to tender his acknowledgments, for the several items of information, contained in your letter; and to say that he will shortly write to you, in person

The Draft, of the Hon W.H. Wharton accepted and paid by you, will be faithfully honored by the Government

I have the honor to be
Respectfully Your Obt Servt
John Reid
Chief Clk Sec of Legn

(Signed)

See page 91. of this Book Letter to John Woodward of Dec. 16. 1836.

Department of State
Columbia 31st December 1836

To-

Chas Wilson

relative to the appointt of Judges.

To Charles Wilson Edgr
Sir

I have been requested by the President to say to you that it is not in his power to appoint Judges, which is the exclusive right of Congress. The can confer on them only, but you may rest assured if there is any appointments to bestow you shall not be forgotten

I am with great respect
Yr Obt Servt
Richard F Woodward
Chief Clerk

Department of State
Columbia Texas Jany 27th 1837

To-

M. A. Hardin

Relative to the Release of two Mexican Prisoners.

Capt M. A. Hardin
Comdt at Liberty
Gen

I am directed by the President to order you to release Col José María Cornero & Martini Columbia two [illegible]

who are under your charge and also to direct you to send the same prisoners to this place without delay in order that they may receive passports immediately from under the hand of the President authorizing their return to Mexico

Given under my hand and Seal of Office at Columbia this 27th day of January A.D. 1837 and of the Independence of the Republic the first

I. Pinckney Henderson
Act'g Sec'y of State.

To -
The House of Represen-
tatives ---
relative to
Austin,
Archer &
Wharton
Commiss

Letter Dated March 21st A.D. 1837 [illegible]

Department of State
May 23d. 1837

To the Hon
Speaker of the House of Representatives
Sir,

In pursuance of a resol
ution of your honorable body, dated the 17th inst, I have the honor to transmit all of the documents and papers, which are filed in the Department of State relating to the action of the Commrs. Messrs Austin, Archer & Wharton with Mr Triplett and others, which did not accompany the message on this subject and which are marked from 1 to 18, which include the Correspondence of the Government had in town with the said Mrs Triplett, all of which is respectfully submitted

Signed I. Pinckney Henderson
Sec'y of State.

To.
Mr a Hardin-
relative to the
Order for release
of prisoners.
Countermanded

Department of State
City of Houston May 27 1837

To the Hon.
Judge Hardin
Sir

In Consequence of the capture of the Hon W. H. Wharton and many other Citizens of this Republic by the Mexicans and their detention; His Excellency the President has Countermanded the Order heretofore given for the Release of the Mexican prisoners now in Texas, and I am instructed by him to direct you Again to Release and detain them until you receive further Orders from this or some other Department of the Government for their Release

Given under my hand and Seal of Office at the City of Houston this 27th day May 1837 and in the 2d Year of the Independence

I. Pinckney Henderson

To-
Commandant
of Port
Galveston
Relative to the
Custody of
Mexicans
prisoners

Department of State
City of Houston 27 May 1838

To the Commandant
of the Port of Galveston

Sir

I am instructed by his Excellency the President to direct you to visit each vessel which shall hereafter leave the Bay of Galveston and take into your Custody all Mexican Prisoners which may be on board of the same & cause the same to be Remanded to Liberty to be and Remain in the custody and possession of Judge Hardin until further orders are Received from the Executive of the Republic

Given under my Hand and Seal at the City of Houston this 27th day of May 1837 and in the 2d year of our Independence

(Signed) J. Pinckney Henderson
Sec'y of State

P. S. You can Assure the Prisoners that nothing but the Capture of our citizens and their detention by the Mexican Government has caused the Countermand of the order for their Release and that as soon as the Mexican Government Consents there will be an Exchange of Prisoners. Therefore cause them to be sent to the Command of Judge Hardin at Liberty as soon as possible. J. P. H.

To-
J. Woodward.
Relative to the
Recall of
Menard
& Yates
Commiss.
and
Gilmer &
Burnley
appointed
&

Department of State
City of Houston June 29th 1837

Hon John Woodward
New York

Sir

Your interesting Communications under date of 5th & 10th Inst as well as those of Sen. L Swartwout & Mr. Gallatin, were this day received, Relative to which I have to remark, that the President is absent in Eastern Texas on business connected with the Indian Campaign, and will not return to the Seat of Government in less than fifteen or twenty days from this date, at which time those letters and accompanying documents, will be forwarded, submitted to him.

For your information I will take the liberty of stating, some facts of which you seem to be unapprized, The two Commissioners Messrs Menard & Yates have been Recalled and two other Gentlemen of high Respectability Gilmer & Burnley have been Appointed on their place for the purpose of Relieving the Bonds of the Government, They have ample powers and are Authorized to visit foreign Countries if need be for the attainment of the object of their mission.

General Henderson late Sec'y of State has been Appointed Agent to England & France, who left the City two days since for those Countries.

It is probable he will go by the way

of St. Jose, on which bank you will see him, and from whom you can procure particular information relative to our present condition & prospects

In conclusion I take great pleasure in expressing our high Consideration for your character and gratitude for your disinterested Services to this Republic

Very respectfully your Obt Servt
Signed R. A. Irion Secy of State.

To D.C. Haskins relative to passports for Mexican Prisoners---

Department of State
Houston 3d July 1837

D. C. Haskins Esqr
Velasco

Sir

Your letter of 25th June to this Department has been received, in answer to which, I am instructed by the Secretary of State to inform you, that an order was issued bearing date the 29th May last prohibiting all Mexican prisoners from leaving the Country and ordering that they be detained until further orders from the Executive Department Consequently this department is not authorized at present to grant passports

Very Respectfully Yr Obt Servt
(Signed) Benj B Sturges C. C. Dept of State

To-
M. Harley
relative to
Election
Returns=

Department of State
City of Houston August 19th 1837

Dear Sir

Your communication of the 4th instant has been received in relation to which I have to inform that on examination of the Returns referred to they are wanting the following officers to render them Complete, namely, Coroner, Clerks of the County & district Courts and Constables

In making the returns it is proper to embrace the whole of the civil officers in order that when Reference is made to this department it can be seen that the organization of the respective Counties is complete

The Commissions for the Sheriffs and Justices of the peace, have been forwarded which I hope have been received

The bond of the Clerk of the District Court is properly executed

Your friend and Obt Servt
(Signed) R. A. Irion

To M. Harley

To-
J. Toby & Bro.
relative to a
letter from D

Department of State
City of Houston 23d August 1837

Messrs J. Toby brothers & Co
Gentlemen

The enclosed letter is for Hon A. P.

H Henderson Agent & Minister Pleni[potentiary] for the Republic of Texas near the Court of St James, under cover to Messrs Barings London, and I have to request the favor that you will forward it by first opportunity

Respec. your Obt Servt
(Signed) R. A. Irion Secy of State

To-
S.D. Gervais
Relative to
Commissions
acts &c
forwarded

Department of State
City of Houston August 25th 1837

To the Hon Sinclair D Gervais,
Matagorda,

Sir,

I have with forwarded you by boy Stephen your comission as chief justice of the County of Matagorda together with the Commissions of the other Civil Officers of said County

The Returns of the Election were received a few days since from the Hon. Judge Dinsmore.

I also now forward you the Acts of the Judiciary. All the Acts of Congress are now printing, which I hope will be ready for distribution within 6 weeks

Col Bee has been appointed Secy of War & Mr Shepherd acting Secy of the Navy

The President's health is very Good, my own I regret to say is not so Good

Your friend & Obt Servt
Signed R. A. Irion Secy of State

To-
A.C. Horton
Relative to the
appoint. of
S.D. Gervais
Chf Justice

Department of State
City of Houston August 25th 1837

Hon. A. C. Horton
Matagorda

My dear Sir

I have the honor to inform you that your Communication to the President of the 21st inst was received and in Compliance with the request therein Contained the Appointment of Sinclair D Gervais to fill the vacancy of Judge occasioned by the Resignation of Silas Dinsmore has been made, and your previous Relative to this Subject are duly appreciated

Respectfully
Your Obt Servt
Signed R. A. Irion Secy of State

To-
S.A. Lester
Relative to
publication
of the acts
&c &c

Department of State
Houston August 21 1837

Hon S.A. Lester
Nina County
Texas

Sir I am of the 14th inst. come duly to

hand, with respect to which, I have to inform you, that shortly after the adjournment of Congress I ordered from New Orleans paper for printing the Acts of Congress which has recently arrived, and the printing is now in progress.

Knowing the great anxiety of the people on this subject I shall urge the execution of the work with all possible dispatch, but owing to the extreme poverty of the Government it is impossible to have it done, so soon as would be desirable.

The printer is daily expecting the arrival of another press which will very much expedite the publication, as it would be exclusively devoted to this work.

I shall make the distributions at the earliest possible time.

I have been in Houston ever since I saw you. I regret to say my health has been a good deal impaired.

The President's health is Good.

Respectfully Your friend
and Obt Servt
R. A. Irion Sec'y of State

(Signed)

To-
G. B. McKinstry.

Relative to Election for Senator-

To the Hon G B McKinstry
Chief Justice of Brazoria County

Sir

You are hereby ordered and required to cause an election to be held, after having given due notice thereof on the 20 instant for the election of a Senator in the Congress of this Republic for the County of Brazoria, to fill the vacancy occasioned by the resignation of the Hon. Wm G Hill

L. S.

Done at the City of Houston Sept 8th 1837

By the President Sam Houston

Signed R. A. Irion Sec'y of State.

To
Wm Bryan
Relative to the
Brig Packet

Department of State
City of Houston Sept 12th 1837

Wm Bryan Esqr
Sir

Your communications stating certain declarations relative to the Condemnation of the Brig Packet have been received with respect to which I have to inform you that every exertion shall be made to procure and forward to you without delay the Evidence you desire

The President is now and has been for several days past seriously indisposed with the prevailing fever

Very respectfully Sir Obt Servt
(Signed) R. A. Irion Sec'y of State

To
Wm. J. Scott
Relative to the
Brig Packet

Department of State
City of Houston Sept 20th 1837

Wm. J. Scott Esqr
Clerk of the D. C. Brazoria County

Sir

The Government ad interim appointed Judge Franklin, Admiralty Judge for the adjudication of the Prize Brig Porter, and all the facts relating thereto being required in a Suit pending in New Orleans, I have to request that you will forward to me, with the least possible delay a certified copy of the proceedings of the Court in this case

I would address Judge Franklin on the subject but I understand that he is absent, should the papers not be in your charge, and you can ascertain where they are endeavour to procure a copy and forward as directed. Certify to them in your official Capacity

Respectfully your Ob Servt
(Signed) R. A. Irion Sec'y of State

Sec'y page 56 of 21 is Book Letters to Chairman of Comm. on Claims & Acc'ts S. p. 22. 1837

Department of State
City of Houston Sept 23. 1837

To-
President of the Senate &
Election Returns

To the Hon
The President of the Senate &
To the Hon
The Speaker of the House of Representatives

Sir

I have the honor to transmit to you a Statement of the Returns made to this Department up to the present time, of Votes taken on the 4th Inst for Senators and Representatives to Congress for the Depopulated Counties, the Result of which is as follows

For Representative for the County of Gonzales
A Sinton Received 12 Votes
J. D Clements Received 6 do
For Senator for the Counties of Refugio, San Patricio & Goliad
John Lumm Received 3 Vote
For Representative for San Patricio
John Turner Received 1 Vote
For Representative for Refugio
Ethanuh Brush Received 1 Vote

Very Respectfully
Your Ob Servt
(Signed) R. A. Irion Sec'y of State

To-
President of the Senate
Elections Returns

Department of State
City of Houston Sept 25th 1837

To the Hon J. H. Conitt
The President of the Senate

Sir

The following Returns of Elections for the Senate and House of Representatives held on the 4th Inst have been Received at this Department since my last Communication of 25th Inst

Yrs

Ist a Return made by John McHenry Chief Justice of the County of Victoria, dated at the Town of Victoria 11th Inst- from which it appears that

For the depopulated Counties of Refugio San Patricio and Goliad, at the Town of Victoria

John Munn of ~~Victoria~~ Received Received 15 votes

2d A Return made by Encarnacion Vasquez & R.M. Adele Judges of the ~~Election~~ held at the Town of Goliad from which it appears that for the County of Goliad

James Powers Esq for Senator Received 4 Vote

There being some informalities in the Returns alluded to above I enclose them to the Speaker of the House of Representatives to be furnished the Senate if required

Very Respectfully
Your Obt Servt
Signed R. A. Irion Secy of State

In-
House of
Representatives
Election
Returns
&c

Department of State
City of Houston Sept 28: 1837

Department of State
City of Houston Sept 28: 1837

To the Hon

The Speaker of the House of Representatives

Sir

Enclosed I have the honor to transmit to you the following original Returns of elections held on the 4th Inst-, and received by mail since my last Communication of 25th Inst- on that subject-

Returns of an election for Representative for the County of Victoria

Returns of an election held at the Town of Victoria for a Senator for the depopulated Counties of Refugio San Patricio & Goliad, for a Representative for the depopulated County of San Patricio, and for a Representative for the depopulated County of Refugio

Returns of an election for a Representative and a Senator from the County of Goliad

I shall refer the President of the Senate to you in Case these papers may be required, at the same time transmit him an Abstract from them of so much as relates to that body

Very Respectfully
Your Obt Servt
(Signed) R. A. Irion Secy of State.

To-
W. H. Wharton
Relative to the
North Eastern
Boundary Line

Department of State
City of Houston Sept 29th 1837

Hon W. H. Wharton
&c. &c. &c. Relations
Sir

In compliance with a resolution of the Senate passed yesterday authorizing the Committee on foreign Relations to call on the Secretary of State for information relative to the correspondence between this Government and that of the United States on the subject of our North eastern boundary, I have the honor to State, that on the 26th of June last, in a Communication to our Minister near the Government of the United States at Washington City, informing him of the Act passed at the late Session of Congress authorizing the President to appoint a Commissioner to run said line, I instructed him to solicit and urge the Appointment of a Corresponding one on the part of that Government; and to fix the time of their meeting for that purpose on the Sabine.

In Reply he advised me that he had promptly made the Application to Mr Forsyth in the most earnest manner; and in a Subsequent dispatch, dated August 10th he remarks that he "had not yet received a Reply from the Secretary of State upon the subject of a Commissioner to run the boundary line"

In addition to the foregoing it is proper to State, that the Governor of Arkansas Reported to the Government of the U. States the fact that the Republic of Texas, by an Act of her Congress in 1836, had established a Land district embracing Territory Claimed by Arkansas, in Consequence of which the Secretary of State of the United States on the 17th of June in a note to our Minister at Washington, expressed much Surprize at said Act and notified this Government through him in the most positive terms, that so long as the boundary line shall remain unsettled no encroachments will be permitted upon the Territory occupied by the United States

I have the honor to be etc
(Signed) A. A. Irion Secy of State

To-
Clerk of the
House of Repr.
Relative to
Copies of Acts

Department of State
City of Houston Oct 6th 1837

To the Clerk of the House of Representatives
Sir

I have received your note of this morning calling for 35 Copies of the Acts of the last Session of Congress, with respect to which I have to inform you that they have not yet been published in pamphlet form.

I send you for the use of the House two Copies of the Report of the proceedings of the House of Representatives; and also the same number of the Journals of the Senate

Respectfully Your Obt Servt
A. A. Irion Secy of State.

10

Fr. Chairman Com. on Finance

Relative to Officers of Govt and Their Salaries

Department of State
City of Houston October 6th 1837

To the Hon Chairman (Com. on Finance)

Sir

In Conformity with a Resolution of the House of Representatives passed on the 2d Inst Authorizing a Committee to Call on the Heads of Departments for a Statement of the Civil and military Officers of this Government, and their Respective Compensation, I have the honor to transmit herewith to said Committee a list of certain Civil Officers embracing the President, Vice President, those of the Department of State, and of the Judiciary

President	$10 000	
Secretary	1500	
Vice President	3000	14500
Department of State		
Secretary of State	3500	
Chief Clerk	1500	5000
Diplomatic Bureau		
Ministers near the Govt of the U. States	5000	
Outfit of do	4500	
Secy of Legation	2000	
Agent & Minister near the Court of		
Great Britain	5000	
Outfit of do	4500	
Secy of Legation	2000	23000
Judiciary		
Chief Justice	5000	
Four dist Judges 3000 ea	12000	
Attorney General	3000	20000
		62500

The Compensation of the District attorneys cannot be estimated with any degree of accuracy because they receive fees instead of fixed salaries

Respectfully Your Obt Servt
Signed R. A. Irion Secy of State

Fr. Clk of House of Representatives

Department of State
City of Houston October 7th 1837

J. M. Shreve Esq
Clerk of the House of Representatives

Sir,

I herewith transmit to you in conformity to the Resolution of the House of Representatives a file of papers and two pamphlets which contain nearly all the laws called for. The others I will send you as soon as they can be copied

Respectfully Yours &c
Signed R. A. Irion Secy of State

To.
J. W. Burton.
Relative to
treaty with
Prairie Indians.

Department of State
City of Houston October 7th 1837

Hon J. W. Burton
Chairman of Com^e on Indian affairs

Sir

Since my Communication of the 6th Instant the accompanying treaty with the Prairie Indians and documents marked A & B relating to the same subject have been received, with instructions from the President to submit the same to the Committee on Indian affairs, all of which I herewith transmit to you

I have the honor to be &c
(Signed) R. A. Irion Sec'y of State

To.
Sec of War
" " Treasury
" " Navy
Relative to a
Resolution of
the Senate-

Department of State
City of Houston October 9th 1837

Sothe Hon
Sec'y of War R. E. B. Bee
Sec'y of Treasury F. W. Smith
Acting Sec'y of the Navy Asst Sherpherd

Sirs

I am instructed by the President to Notify the Heads of Department of the accompanying Resolution of the Senate in order that they may furnish his Excellency with the information therein Requested

I have the honor to be yours &c
(Signed) R. A. Irion Sec'y of State

To
Henry Smith
Relative to
Commerce &
Navigation

Department of State
City of Houston October 27th 1837

Hon H. Smith
Sec'y of the Treasury &c

Sir,

The minister of the United States having applied to me for information relative to their Commerce and navigation I hereby Request that you will furnish tables of Exports and Imports & Tonnage foreign and domestic, the Rates of duties and any other information relative to the Commerce and navigation of this Country,

I have the honor to be &c
(Signed) R. A. Irion Sec'y of State

To
Wm Bryan
Relative to the
Brig Packet—

Department of State
City of Houston October 27th 1837

William Bryan Esq.
New Orleans

Sir,

Shortly after my note to you relative to the Brig Packet, I saw the President Burnet who informed me that her adjustication was to take place before U. S. Franklin who

been appointed Admiralty Judge, and that said Court Condemned the Brig as a lawful prize.

Judge Franklin is now a Judge of the District Court, which has Admiralty Jurisdiction, and proceeding therefore that the papers of the former Court of Admiralty were still among the Archives of the District Court, I wrote to the Clerk thereof to forward to this Department a Copy of all Documents which relate to the Capture and Condemnation of said prize that might be found deposited in his office, in accordance with which he promptly transmitted the enclosed proceedings of the Court of prize.

On examination I regret to find that the decree of the Court does not appear.

Judge Franklin is absent in the U. States which renders it impossible for me to procure from him any information.

Chief Justice Collingsworth is now in this City, with whom I have Conversed freely on the subject, who states that the only Remedy is to have the decree entered anew in Open Court which Can be done at the next term of the District Court

He assures me that he will examine the records when he returns to Brazoria, and will do any thing that may seem proper and necessary to promote the object

There is no doubt of the decree having been made.

On account of the near approach of the term of the U. S. District Court in December at New Orleans, when you expect the trial will take place, and the uncertainty of Communications by Sea (having now a safe Conveyance) I have deemed it expedient to send you what information I have obtained, hoping that time may be allowed to Complete the Evidence which the peculiar Circumstances attached to prevent at the present moment

Respectfully Yr Obt Servt
(Signed) R. A. Irion Secy of State

To-
C. S. Taylor
Relative to the
distribution
of Laws.

Department of State
City of Houston November 25th 1837

To Hon C. S. Taylor
Chief Justice of the County of Nacogdoches

Sir

The accompanying Copies of Laws are intended for the Civil Officers of Government of Nacogdoches County among whom you will please distribute them

Respectfully Yr Obt
Signed R. A. Irion Secy of State

To
Chf Justice of
Mina County
relative to the
distribution
of Laws.

Department of State
City of Houston November 26th 1837

To the Hon A Webb
C. Justice of the Co of Mina

Sir

I send you herewith fourteen Copies of the first Volume of the laws of this Republic, which you will please distribute among the Civil Officers of Mina County

Respectfully Yr Obt Servt
R A Irion Sec'y of State

To
H. S. Sanderson
relative to
Isaac Campbell

Department of State
City of Houston November 26 1837

To H. S. Sanderson Esq
Sheriff of Baltimore County

Sir,

Your Communication of the 18th of August last making enquiries relative to Isaac Campbell late of Alton State of Illinois came safely to hand. Doct Jones is a member of Congress from the County of Brazoria and was here at the time of receiving your letter to whom I delivered the one addressed to him. We have both made frequent enquiries and can hear nothing from Mr Campbell. The Doctor wrote to you on the subject, which is the reason why I did not at the time, wishing before writing to obtain some information

With respect to Mr C should either of us ascertain any thing it will be promptly communicated to you.

The Doctor desires me to make his Compliments to you

Very respectfully Yr Obt Servt
(Signed) R. A. Irion Sec'y of State

To
Wm Bryan
Concerning
the Brig
Pocket

Department of State
City of Houston November 28th 1838

William Bryan Esqr.
New Orleans

Sir

I forwarded to you by Capt Green of the Cutter Woodbury all the papers that could be procured relating to the Brig Pocket, & I now enclose a letter from Chief Justice Collingsworth on the same subject

Respectfully Yr Obt Servt
(Signed) R. A. Irion Sec'y of State.

To
Jno R. Reid
transmitting
att'y General's
opinions.

Department of State
City of Houston December 2d 1837

Jno R Reid Esq
Mobile Ala

Sir,

I herewith transmit to you the opinions

from the Atty Genl on the subject of the enquiries contained in your Communication of the 2d of September last

Respectfully yr Obt Servt
Signed R. A. Irion Secy of State

To
President
of the Senate
relative to
Senatorial
Election

Department of State
City of Houston December 6th 1837

Hon A. C. Lamar
President of the Senate

Sir

I herewith transmit a communication from Nicholas Flores Esq Justice of the peace County of Bexar enclosing returns of an election held in said County on the 4th inst. for Senator with a translation of the same

I have the honor &c &c
(Signed) R. A. Irion Secy of State

To
Wm Bryan
relative to the
Brig Pocket

Department of State
City of Houston January 3d 1838

William Bryan Esq
Sir

With regard to the Brig Pocket I have at last succeeded in procuring all the documents required by the memorandum of Mr Hunt which are herein enclosed & you

It was impossible to obtain them earlier, the matters being brought up before Judge Robinson, Jury, &c &c, with all the other Judges, Admiralty Jurisdiction, and under the laws the privilege of Attorney or Admiralty Costs Coercion &c &c were

Very respectfully Yr Obt Servt
(Signed) R. A. Irion Secy of State

To
C. Van Ness
relative to
forfeited land

Department of State
City of Houston January 11th 1838

Cornelius Van Ness Esq
Sir

Your Communication by Mr Ogden to the President on the subject of forfeited land has been presented to the President for Consideration. As yet no Statute has been enacted, prescribing the manner of proceeding in such Cases

Therefore until such a law shall be passed your investigations will be limited to the Collection of facts relating to this subject which you will have Recorded in order that they may be used whenever those Cases shall be investigated before the Tribunals of Justice

Very respectfully &c &c
Signed R. A. Irion Secy of State

To-
F. A. Sawyer
Relative to the
Brig Pocket.

Department of State
City of Houston January 11th 1838.

F. A. Sawyer Esq
Dear Sir,

There was considerable delay in receiving the Decree of Condemnation of the Pocket, It arrived however in time to go by the Columbia on the eighth instant

I was told by Judge Grant this that he thought the trial might be postponed till the last monday in this month, in which Case the papers will reach New Orleans in time.

Judge Birdsell has written you on the subject of Remuneration for your services in the Case of the Pocket.

Very Respectfully
Yr Obt Servant
R. M. Irion Secy of State.

To-
S D. Gervais
Relative to the
appoint. of a
Notary Public.

Department of State
City of Houston January 11th 1838

Hon Sinclair D Gervais
Sir,

Yours by Doctor Levy on the subject of the Appointment of a Notary has been received, with Regard to which On reference to the Act I find that it is Obligatory on the President to Appoint Notaries for all the Ports of Entry.

The Petition mentioned in your letter has also been Recvd, but the Appointment has not been made

For your information I herewith transmit a Copy of the Act.

Very respectfully
Yr Obt Servt
R. M. Irion

See page 24. of this Book Letter to Cco. A. Patterson of Jany 11. 1838

To-
C. West.
Relative to the
legality of
certain Officers
after a change
in the Co. lines

Department of State
Houston January 16th 1838.

To Claiborne West Esqr
Jefferson
Sir.

Your letter of the 1st Inst enquiring of Certain Justices of the Peace heretofore Commissioned for the County of Liberty, but whose Domicils are by the Recent Changes in the Country boundaries, now within the jurisdiction of Jefferson County, can continue to act under their former Commissions - has been duly Received and Considered.

It is the opinion of the Executive that in the Case stated the Officers in Question have no right to exercise their function in the County of Jefferson, They have never been officers of Jefferson County, and Can only be made so in the Regular mode of Appointment or Election. And as there have arisen many similar Cases under

the Recent Changes in County boundaries, The President will issue a proclamation to the Chief Justices of the Counties in which vacancies may have been Caused thereby, to proceed forthwith to fill the same by Ordering new elections

Very respectfully Your Obt Servt
R. A. Irion Secy of State

To-
S. Wright
relative to
Contested
Elections-

Department of State
Houston January 24th 1838

Hon S. Wright-
Sir

Your favor of the 11th Inst came duly to hand and had been Considered

In Reply to which I would State that this Department has never been authorized or empowered to settle Contested Elections. The legitimate Authority in all Cases of this kind except those otherwise specially provided for is in the District Courts they are bound to entertain the question in the ordinary exercise of their official duties, in the form of a petition from the party aggrieved against the incumbent unjustly or irregularly holding the Office and should be tried as a question of private grievance and right-

Very respectfully Yr Obt Servt
R. A. Irion Secy of State

To-
A. Rabb
Transmission
of Commissions
&c &c

Department of State
Houston January 22d 1838

Hon A. Rabb
Dear Sir

Your letter of the 20th Inst has been duly Received, accompanying this you will receive Commissions for the Justices and Sheriffs for your County

The general direction you refer to in the Constitution (Sec 7th of Art 6) embraces those Officers only whose official jurisdiction extends over the Republic, and who are therefore properly "Officers of the Republic" - as the Officers of State, Chief Justice, and District Judges, who derive their Appointment directly from the Executive Authority. It is however very important to transmit to this Department the names of all Officers elected

Very Respectfully
Yr Obt Servt
R. A. Irion Secy of State

To-
J. Lester
relative to
Commissions
&c &c

Department of State
Houston February 2d 1838

Hon J. Lester
La Grange
Sir,

Your favor bearing date January 19th has been duly received, I regret that it has not been in my power

to furnish you with Copies of the laws, are this, but the facilities for printing are so very few at this place that I have been unable to procure Copies of the Laws for distribution. They will however be issued from the press, in about a fortnight when I will embrace the earliest opportunity of furnishing you with Copies

Very respectfully &c
(Signed) R. M. Irion Sec'y of State

To-
Jas. Grigsby
Transmission
of Duplicate
Commissions for
A. Smith-

Department of State
City of Houston Feby 6th 1838

Hon Jas Grigsby
Sir,

Yours of the 28th ult. Came duly to hand, in Compliance with your Request I herewith send you a Duplicate Commission for Andrew Smith. Surveyor for the County of Jefferson

Very respectfully Yr Friend & Obt Servt
R. M. Irion Sec'y of State
Clerk of State Dept

To-
John Hayes
Transmission
of Laws-

Department of State
City of Houston Feby 6th 1838

To John Hayes Esq
Sir,

Your letter bearing date the 14th January last has been duly Received, I have enclosed the first volume of the Laws of the Republic, together with the Commissions for the Officers recently elected in your County.

A number of copies of the laws have been forwarded to your County, some time since, but owing to some Casualty I presume have never been Received

The second volume of laws Comprising the Acts of Congress till the Close of the last Session, will be published in a short time, when I will forward them to you

Very respectfully Yr friend & Obt
R. M. Irion
per J. Jos C. Eldredge Clerk of
Sate Dept

To-
W. H. Patton
relative to the
Incorporation
of the City of
San Antonio,
Laws &c-

Department of State
City of Houston February 19th 1838

W. H. Patton
San Antonio
Sir

Your favor of the 6th ult has been duly Received, In Compliance with your Request I herewith transmit A Certified Copy of the "Act incorporating the City of San Antonio"

The second volume of the Laws is in the press and will be soon be issued, when Copies will be forwarded to the different

Counties, and the Laws more generally made known

Very Respectfully
Your Servt & Obt Servt
(Signed) R. A. Irion Secy of State.

To-
Seale Patillo
relative to the
legality of
Co. Officers
after a
Change of
County line

This Letter belongs
Page 21

Department of State
Houston January 16th 1838

Geo A Patillo Esq
Jefferson County

Sir

Your letter of the 4th inst has been duly Received. You enquire whether the Judiciary Officers heretofore Commissioned for the County of Liberty, but who by the Recent Changes in the County boundaries have their domicils Just under the Jurisdiction of Jefferson County, Can Continue to act under those Commissions in Jefferson County. It is considered by the executive that they Cannot, they have never been Officers of Jefferson County, and Can only be made so in the Regular mode of Appointment or election. And as there have arisen many similar Cases under the Recent Changes in County boundaries the President will issue a proclamation to the Chief Justices of the Counties in which vacancies may have been so Created to proceed forthwith to fill the same by Ordering new elections

Very Respectfully Your Obt Servt
(Signed) R. A. Irion Secy of State.

To-
Wm Mitchell
relative to
remonstrance
against
Election
Returns

See page 43 of this Book, Letter to same of Feb. 19. duplicate

Department of State
City of Houston Feby 19th 1838

William Mitchell Esqr
and others of the County of Gonzales
Gentlemen

A remonstrance and petition Signed by "A portion of the Citizens of the County of Gonzales" has been rec'd In reply I would State that this Department Acts on the official returns of the proper Officers only and that Commissions are issued agreeably to said Returns

Where difficulties in Regard to Elections occur, the legitimate authority to settle them is in the District Court, and should be tried as a Question of private Grievance and Right in the form of a petition from the party Aggrieved against the incumbents unjustly or irregularly holding the Offices

Very Respectfully Your Obt Servt
(Signed) R. A. Irion Secy of State

To
W. D. McClure
relative to
Difficulties
& Elections
duly Received

Department of State
City of Houston Feby 20th 1838

Hon B D McClure
Sir

Your letter of the 30th ult has been duly Received. In reply I would State that this Department

acts on the official returns of the proper Officers only, and that Commissions be issued Agreeably to said Returns

Where difficulties in Regard to elections occur as refer'd to in your letter the legitimate authority to settle them is in the District Courts, and should be tried as a question of Private Grievance and right, in the form of a petition from the party aggrieved, Against the incumbent, unjustly or illegally holding the office

Very respectfully Yr Obt Servt

R. A. Irwin Sec'y of State

Relative to Commissioning Officers - Contested Elections & Census

Department of State
City of Houston Feby 20th 1838

Hon John A Lewis

Dear Sir

Your favor of the 18th ult to Came duly to hand. In Regard to the difficulties referred to in your letter, Concerning the late Election in your County, I would state that this department acts on the Official Returns of the proper Officers only. and that Commissions are issued Agreeably to said Returns.

This Department has never been authorized or empowered, to settle Contested Elections, The legitimate Authority in all cases of this Kind except those otherwise specially provided for, is in the District Courts, they are bound to entertain the question in the Ordinary Exercise of their Official duties in the form of a petition from the party Agrieved, Against the incumbent, unjustly or illegally by holding the Office, And should be tried as a question of private Grievance or Right

Your letter of January 13th forwarded by General Dunlap has Received and immediately endorsed, and the Copies of Certain Acts Relative to which you Desired information Enclosed

With Sentiments of Consideration and Respect I am your friend and Obt Servt

(Signed) R. A Irwin Sec'y of State

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to- Geo W. Miles - Exception of Bonds & oaths of Land Commissioners

Department of State
Houston Feby 20 1838

Geo W Miles Esqr
County of Liberty

Sir

Your favor of the 10th ult Containing the bonds and oaths of office of the Board of Land Commissioners, in and for the County of Liberty has been duly Received and placed on file in this department

Very Respectfully Yr Frnd & Obt Servt
R. A. Irwin Sec'y of State
Jos C. Eldredge C Clerk St Dept

26

To-
H. W. Foot
acceptance
of Resignation-
Transmission
of Commiss=

Department of State
City of Houston February 21st 1838.

Hon H. W. Foot

Sir I am Requested by the Sec'y of State, to acknowledge the Receipt of your letter of 20th ult°, and to state that your Resignation has been accepted.

With this you will receive the Commissions of the Officers Recently Elected in your County

Very Respectfully Sir Obt Servt
Jos. C. Eldredge C. Clerk Sec'y Dept

To-
W. L. Underwood)
acceptance
of Resignation
as Dist-Atty=

Department of State
Houston February 21st 1838

W. L. Underwood

Sir

I am Requested by the Secretary of State to acknowledge the Receipt of your letter of 29th Jan'y last-tendering your resignation of the Office of District Attorney for the 4th Judicial District of Texas and to advise you of its acceptance

Very Respectfully Yr Obt Servt
Jos. C. Eldredge C Clerk Sec'y Dept

See page 48 of this Book, Letter to Wm Clark of March 3. 1838

Department of State
Houston March 3d 1838

To-
R. Usher
Reception of
Officers Bonds
oaths &c=

Hon Patriot Usher

Texana

Sir

Your letter of the 20th ult° has been duly Received. Also the bond of the clerk of the Board of Land Commiss and the Oath of the Surveyor for the County of Jackson

Very respectfully
Yr Obt Servt
R. A. Irion Jr
Jos C Eldredge C Clerk Dep State

To
W. H. Wharton
Reception of
Resignation
as Senator=

Department of State
City of Houston March 3d 1838.

Hon W. H. Wharton

Dear Sir

Yours of the 10th ult° tendering your Resignation as Senator for the County of Brazoria, has been duly Received

Proclamations for filling the vacancy have been issued

Very respectfully Yr Obt Servt
R. A. Irion Jr & A. C Eldredge
C Clerk Dep State

To
Wm P. Scott
Election
Returns

Department of State
City of Houston March 5th 1838

Hon Wm P. Scott
Brazoria Sir

Your letter of February 6th last has been duly
Received, and also the Result of an Election held in your County for Clerk
of the District Court

Very Respectfully Yr Friend & Obt Servt
Signed R. A. Irion Secy of State

To
G W. Smyth
Reception of
Officers Bonds
oaths &c

Department of State
Houston March 5th 1838

George W Smyth Esq
Jasper

Sir your Communication bearing date
of Ult. containing the Bonds and oaths of the Land Commissioners
Clerk and Surveyor, of the County of Jasper has been duly Received
& my Respectfully Yr Friend & Ob Servt
(Signed) R. A. Irion Secy of State

To
W. Martin
Election
Returns-
Commissions
Transmitted

Department of State
Houston March 7th 1838.

Hon Wiley Martin
Richmond Sir

Your letter bearing date of March
3d Containing the Result of an Election held on the 3d day of
January has been duly Received
The Commissions for the several offices
are herewith transmitted

Very Respectfully Yr Friend & Ob Servt
R. A. Irion Secy of State

To
Agents of
Lloyds
Relative to
British Brig
Eliza
Russel

Department of State
Houston March 8th 1838

To Agents of Lloyds
Galveston

Gentlemen

I have Communication on
the Subject of indemnity for damages that the British Brig Eliza
Russel which was detained at this Port by the Brig Fidelia
by a Decree of Admiralty, Relative to Cargoes of the Schooner
at Galveston has been referred to the President
for Consideration

His
the Justice Concerned
the payment of the claim
of Cargoes he will
ment, &c &c

Recommendations from the Executive that will it is confidently believed, induce an appropriation for the payment of said claim

Respectfully Yr Obt Servt

(Signed) R. A. Irion

To T. J. Barnett
Reception of his letter

Department of State
City of Houston March 6th 1838

Hon Thos Barnett
San Felipe de Austin

Sir

Your letter of 22d Ulto has been duly received

The President is now absent and will not probably return until the Commencement of the next Session of Congress, when your communication will be submitted to him

With Consideration I am
Respectfully yrs &c
Signed R. A. Irion Secy of State

To
S. Rickers
Letter
Forwarded

Department of State
City of Houston March 8th 1838

Samuel Rickers Esq
Sir

Enclosed you will receive a letter to the Agents of Lloyd Havana, which you will please forward by first opportunity

Very respectfully your Friend & Obt Servt
R. A. Irion Secy of State

To
C. Van Ness
relative to
Surveying land
in San Patricio
Co - - - - -
Location of
Mexican
Concessions
&c

Letter Book 5th, Page 121 — Book of Letters

Department of State
City of Houston March 12th 1838

C Van Ness Esq
Sir

Your communication of the 4th inst came duly to hand. With Regard to the first subject referred to in it, the Government is much obliged to you for the information it contains and have taken measures to forward instructions immediately from the proper department to the land board and Surveyor general of San Patricio County to confine the operations of their Surveyors to the Territorial limits of that County and designating those limits

With Regard to the Mexican Concessions other than head rights, there is no provision in the present Land laws for their location or for perfecting titles to those surveyed prior to the closing of the Land Offices

The surveys however should and no doubt will be respected; and secure to the claimants the land surveyed ultimately. But the action of Congress will be required before titles to grants of this character can be perfected

The Commissioners

by your Land Commissioners, I think is the correct one, and is the same adopted by the boards of other Counties as far as I have heard from them

The Second Volume of the laws is now in press and will shortly be issued, when I will embrace the earliest opportunity of forwarding them to you

Very respectfully Yr friend and Obt Servt
(Signed) A. S. Irion Secy of State

Texas
Sam Houston
relative to
a treaty with
Comanche
Indians

Department of State
City of Houston March 12th 1838

Dear General

Col Karnes arrived yesterday morning, having a report of the Agents who were sent to the Comanches for the purpose of inducing their principal Chiefs to visit San Antonio with the view of concluding a permanent treaty between that tribe and this Government

I have the honor herewith to transmit to your Excellency, Copies of that Report, and a letter from Gen. Johnson

The peculiar and interesting attitude of our Indian Relations at the present time has influenced us to forward by express the intelligence which may be of great importance

To day there has been a meeting of all the Cabinet Officers who are now at the Seat of Government. Col Karnes being present

The Comanches having made a positive declaration as regards their territorial limits, the Col deemed it necessary to have further orders and particular instructions from the Executive on this subject, not desiring to exercise the discretion given by his Commission in a matter of such mighty import to Texas, and those Indians

He believes that their suspicions with respect to our motives have been occasioned by false Representations, made by the Mexicans at Matamoras, and the North American Indians now among them, who tell the Comanches that our object is to acquire their lands unjustly

The limits designated by the Comanches will include a portion of the finest Country in Texas lying on the waters of the Colorado, extending as low down as the upper line of Bastrop County where Surveyors are now operating they have resolved to kill all the Surveyors found within the Territory which they Consider theirs

The Shawanee traders who are now with the Comanches, are disposing of Articles so very cheap that Col H is confident that the object of their visit is entirely political, that they are endeavouring to influence their minds against the Texians, and form Combinations which will enable the whole of the Indians living near our borders to declare Warfare against us

His opinion is that such a state of things may be induced should the tribe generally become dissatisfied

and that the principal cause of that result will be referable to the operations of Surveyors in the Indian Countries

The Col. would go on to Nacogdoches and he not engaged to meet the Comanches on the first of April at Bexar which precludes the possibility of seeing you and meeting them at that time. He says it will not do to disappoint them, therefore he will take out some presents, and meet them according to appointment, and conclude the most favorable treaty practicable, without indicating the precise limits of the Territory which will be secured to them, reserving them at the same time that this Government has the disposition to insure or take from them any rights which they may possess

If they can be satisfied with regard to boundary there will be but little difficulty in managing them

They claim all the Territory North and West of the Guadalupe mountains, extending from Red River to the Rio Grande, the area of which is nearly equal to one fourth of the domain of Texas.

A deputation from the Lepans, consisting of Castro, their principal Chief and ten of his Captains, in obedience to instructions of Commissioners who treated with them; arrived about eight days since, Castro was much chagrined when he was informed of your absence, and manifested a great desire to see you. He is a sagacious shrewd and intelligent Indian and is familiar with Mexican Politics

He bears eternal hatred to the Mexicans and friendship for the Texians, He is at war with the Comanches and will not make peace with them, until they shall have concluded a permanent treaty with us

They left yesterday with the presents that had been furnished them, Castro promising to return by the meeting of Congress

The Commissioner of the land Office has issued Orders instructing Surveyors to confine their operations strictly within the limits of their respective Counties, which if obeyed may prevent intrusion upon the Indian Territory on the Colorado

Gen.l Urrea has declared for the Constitution of 24 in the State of Sonora; and Gen.l Cos is expected to do so in Tamaulipas

Col Harris states that Mexicans scouts occupy the Country between San Patricio and the Rio Grande

Understanding that considerable dissatisfaction exist among the Indians of the East which the prospect of losing their lands has produced, We have thought that perhaps the accompanying intelligence might enable you to come to a more accurate conclusion respecting all the circumstances; and if deemed necessary, whilst in the East, to take steps to counteract the machinations that are now going on with the Comanches

I have Received no intelligence from our Legation at London since your departure, and but one short Communication dated 11th of February from General Hunt. It Contains nothing of importance

Political matters at the Seat of Government are tranquil. Col Bu and Gov Smith are absent

With the highest Consideration and Respect I have the honor to be your Friend & Ob Servt

R. M. Irion Secy of State

Gen Sam Houston
President R. T. Navgadoches

Judge Birdsall & Mr Anchincloss desire me to present to you their best Compliments, & hear the pleasure by Estevan to learn that you had arrived at Nacogdoches but Regret exceedingly that it was after the second of March, & hope you are enjoying yourself

J.

Fm. A. Rabb relative to the Laws—

Department of State
City of Houston March 16th 1838

Hon Andrew Rabb

Sir.

Your communication although bearing date of the 5th of February has been but just Received

It is a subject of regret to the Government that it has not been able to furnish its Officers long ere this with the laws and enactments of Congress, but the facilities for printing are so very limited that it has been impossible to accomplish that very desirable object, Twenty Copies of the laws of the first session were forwarded you about the 25th Ulto. last, and I herewith transmit one Copy Containing all the laws passed previous to and during the Summer Session of 1837, and a Certified Copy of an "Act supplementary to an Act to Raise a Revenue by Direct taxation" An act entitled "an Act to license Retailers of liquors and others was published by mistake in the Telegraph, it never having become a law. The only law in regard to licenses for retailing liquors is contained under the head of "an act to Raise a Revenue by Direct taxation" Contained in the Volume enclosed. The Remainder of the Laws will be published and Ready for distribution about the first of April when Copies will be furnished the Officers of your County—

Very Respectfully Yr Obt Servt
(Signed) John Birdsall Acting Secy of State.

Fm. H. D. Gaines relative to the appointt of assessors &c

Houston 19th March 1838
Office of Secretary of State

H. D. Gaines

In Reply to your letter of enquiry of the 20th ult., which is but just received, I have to state that by the provisions of the Law Regulating the Assessments and Collection of the Direct taxes, the Assessors are to be appointed by the County Courts

of the Respective Counties and during a stated term of the Court no particular time, however is prescribed at which the Appointment is to be made, it will be proper therefore in the instance of your County to make the Appointment at the next Regular sitting of the Court

For further information in Regard to the Qualifying of the Assessor and the Regulation of his Duties, I send herewith a Copy of the Law of Congress

We can well appreciate the embarrassment under which the Officers of Government labor for want of the enactments of Congress and legal precedents— But the Public Printing is now in Course of Rapid execution, and the laws will soon be in Readiness for distribution

Very respectfully &c &c &c
John Birdsall Actg Secy of State

To—
A. Bullman
Relative to
granting land
to Emigrants.

Department of State
Houston March 19th 1838.

To Majr. A. Bullman,
Sir,

In Reply to your communication under date of the 24th Ult last addressed to His Excellency the President, I am instructed to inform you that the laws gives to emigrants coming to this Republic, certain quantums of land out of the Public domain, to be limited, in their operation to the first day of October last past

Emigrants Coming to the Republic thereafter since that period do not receive any land from the Government unless by purchase, the Public lands however will be sold, at very low prices, Compared to their intrinsic value, and it is the decided policy of the Government to encourage and invite Emigration of industrious good citizens of all countries

The Constitution of the Government requires a Residence of six months only and the usual oath of Allegiance to entitle the Emigrants to all the Rights and Privileges of Citizenship

It guarantees protection of his Home property and Religion, and the laws exempt from charge or duties all the implements and utensils of any trade or business and all such provisions and Stores, as the Emigrant may bring with him for his own or his families use

With Regard to laws the legislation of Congress will vary with the Exigencies of the Country, but the Emigrants will never be subjected to any unfavorable inequalities in that Respect

He will of Course Remain with each individual to decide for himself the Propriety of Changing his domicil and County, but it is believed this Country offers stronger inducements to the enterprising and industrious Emigrant than any other now open for Settlement

With great Respect &c &c &c
John Birdsall Acting Secy of State

(Signed)

Section 122 of this Book. Letter to Gov. Polk in Case of Mr. Mitchell March 20 1838.

Department of State
City of Houston 27 March 1838

To
His Excellency
Geo. W. Patrick
Governor

Subject
Relative to the
legality of the
acts of
Chf Justice
Millard =

Your Communication of the 28th ult[o] is just Received

In reply I have to state, that in regard to the legality of Chief Justice Millards acts, previous to his taking the second oath of office, although the administration of the Oath of Office by the Magistrate appears to get in the form contrary to regular and established usage, the acts of the Chief Justice in regards third persons and the Public are valid and legal

His Appointment was Completed when made by the President and Confirmed by the Senate of the Republic

The taking of the oath of office is a personal qualification directed by the Constitution and laws, and which should be complied with, but is by no means essential to the validity of the Officers acts as regards the Public. They are not bound to know or enquire whether he has taken the oath of office at all or not. It is enough for them to know that he was made an Officer by the Government, and that he assumes to act in his official capacity - For the rest he is himself responsible to the Government

As regards the election of Mr Bunch it is not competent for this Department of the Government to enquire into, or decide upon, the regularity or irregularity of the Election. That question belongs to the Courts - In reply to your last question

The Associate Justices are to be selected by a majority of the Justices from the whole body of Justices of the Peace of the County

Duly impressed with the laudable motives that have induced the enquiries in your letter, I have taken to forward you the foregoing suggestions which I hope may prove satisfactory

With great respect yr Ob[t] Serv[t]
John Birdsall Atty Gen[l] & Act[g] Sec[y] of State

To
A. Millard
Election
Returns &
Commissions
forw[d]

Department of State
Houston March 28th 1838

Hon F. C. Millard
Jefferson Co
Tex.

Yours of the third inst[t] containing the Results of an Election held on the present on the 2nd Mon[y] in Feb[y] is duly acknowledged

Enclosed you will receive the Commissions for the Officers so elected.

Very respectfully Your friend and Ob[t] Serv[t]
R. A. Irion Sec[y] of State

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To-
A. Aeill
Reception
of Officers
Oaths &c

Department of State
Houston March 26th 1838

A. Aeill Esqr
County of Galveston
Sir

The Receipt of your letter of the 16th Ulto Containing the oaths of Office of the Board of Land Commissioners for your County is hereby acknowledged

Very respectfully Yr Obt Servt
Signed R. A. Irion Secy of State

To-
I. A. Moody-
relative to the
recording of
documents in
the language
in which they
are written-

Department of State
City of Houston April 1838

I. A. Moody Esqr.
Clerk Co Court Victoria
Sir

Your letter of 13th March last has just come to hand, In regard to the subject on which you ask for information I have to state, that under the existing laws for Recording, the Documents must be Recorded in the Language in which they are written there is no provision for translating

Very respectfully Yr Obt Servt
(Signed) R. A. Irion Secy of State

To-
Wm S. Hunter
Election
Returns &
Commissions
forwd'd

Department of State
City of Houston April 7th 1838

Hon William S Hunter
Goliad
Dear Sir

The Receipt of your letter enclosing the Results of an election held in your County on the 24th of March last is hereby acknowledged

I have the honor herewith to transmit Commissions for the Officers so elected

Very Respectfully, your friend &c R. A. Irion Secy of State

Signed

See page 123 of this Book, Letter to N. Townsend April 11. 1838.

Department of State
Houston April 13th 1838

To-
S C Cunningham-)
Copies of laws
forwd'd
Election
Returns &c

Hon S C Cunningham
Bastrop
Sir

Yours of March 22d has just been received. I herewith transmit twenty Copies of the first and second volumes of the laws

Twenty Copies of the first volume were sent to your County which I understand were never Received

The Returns of Election held in the first and second Districts for Justices of the Peace have also been Received and the Commissions will soon be forwarded to you I have the honor &c

(Signed) R. A. Irion Secy of State

Copy of Letter Book, Letter to Presidents
Houston, [illegible] 35

Department of State
City of Houston April 25th 1838

To-
L. C. Cunningham
County of Bastrop

Sir

Enclosed you will receive Commission for Thomas H. Mays and John B Walters, who were elected Justices of the Peace for your County at an election held on 5th day of February ult.

Very respectfully &c
Signed R. A. Irion Sec'y of State

To-
L. C. Cunningham
Commission
Forw'd

To-
S. S. Menefee
Reception of
Bonds & oaths
of Land officers
Jackson Co-

Department of State
City of Houston April 25th 1838

S. S. Menefee
Texana
Sir

Yours of 31st March ultimo together with the Bonds and oaths of the Land Officers for the County of Jackson have been duly Received

Very respectfully Your Ob't Serv't
(Signed) R. A. Irion Sec'y of State

To-
F. F. Gaines
Election
Returns &
Commissions
Forw'd

Department of State
City of Houston April 25th 1838

Hon Francis F Gaines
Jasper County

Sir

Yours of 30th ultimo containing the Results of an election held in the District of Jasper for a Justice of the Peace, to fill the vacancy occasioned by the Resignation of Wm. Walters Esq has just come to hand. I have the honor to transmit herewith a Commission for the Officer so elected

Very respectfully Your Ob't Serv't
(Signed) R. A. Irion Sec'y of State

To-
Ch's Justices
of different
Counties-

Department of State
City of Houston May 5th 1838

Copy of a letter to the
Chief Justices of different Counties

Sir

It would unnecessarily have been experienced on their officer account to the failure of several of the Chief Justices to send in the election Returns of the different Officers of their Counties

Although a number of Returns have been Received, they have generally been short furnished ones; some of the Officers having been omitted. It is therefore Requested that you will forward as soon as practicable after their Election forward the number of those holding offices of Sheriff, Constable, Justice of the Peace (and the Districts for which they have been elected) and the Clerks of the County

Dallas County, Oct. 30th 1838

I have this day received from the Sheriff of said County the returns of the election held in said County on the 1st Monday in August last for Members of the Congress of the Republic of Texas, and for County officers, and have the honor to transmit the same herewith

I have respectfully &c &c
Geo. W. Terrell Sec'y of State

Department of State
City of Houston May 12th 1838

To
J. Hansford
Chambers
Returns for Justices of Peace
Commissioners
Precincts for the Officers so elected

Sir

Yours of this date with the Returns of an election held in Chambers County on the 1st Monday in August last for the Officers therein mentioned is this day received and in reply thereto you will receive Commissions for the Officers so elected

With Consideration and Respect
Your Obt Serv't R. A. Irion Sec'y of State

To
F. J. Davies
Election
Returns
& Commissions
Precincts

Department of State
City of Houston May 12th 1838

I Have Received & Laid before Galveston County Court the Returns of an Election at Bear Creek Precinct in your County Resulting in the election of Thomas H. Wood Esqr. in the place of Martin D. White Resigned has been duly received and You will have it in your power to issue the Commissions of the said Officers

Very respectfully &c &c
R. A. Irion Sec'y of State

To
A. P. Coles
Laws &c
Forwarded

Department of State
City of Houston May 12th 1838

Hon John P. Coles
Washington County
Texas

Your note of May 1st acknowledging the receipt of two packages of Laws of the Republic Commencing at Page 159 and stating information relative thereto has been received.

In reply I would state that a Corresponding number of packages containing the first 158 pages were sent to you last December, and under the impression that they had been received, the last two packages were forwarded in order to make the first volume complete

The acts of the last "Called and Regular Session" have also recently been sent to your County

Very respectfully
Your Obt Serv't
R. A. Irion Sec'y of State

To-
D. A. Barnard
Reception of
Bond & Oath
of Co. Officer

Department of State
City of Houston Nov 10th 1837

Hon Royall C. Barnard
Fort Bend Co. Texas
Sir

Your letter of 10th Inst has been
Received together with the Bond and Oath of William H Cook as Clerk
of the District Court for the County of Fort Bend.

Any Request of Mr Cook
R. C. Irion Sec'y of State

To-
Francis Slaughter
Election
Returns
+ Commissions
Forw'd

Department of State
City of Houston May 24th 1838

Hon Francis Slaughter
Robertson County
Sir

The receipt of yours of 25th Inst
enclosing a Return of an Election of Civil officers for your County is
hereby Acknowledged

You will receive herewith Commissions for the officers
so Elected

With Respect your Ob't Serv't
R. C. Irion Sec'y of State

To-
S M. Williams-
Consul Comm'rs
forw'd
to U. States

Department of State
City of Houston June 5th 1838

Sam'l M Williams Esq'r
Sir

Col. Bee herewith will Hand you a Case
containing Commissions for the several consuls of the Republic in the United
States. You will probably visit most of the places in which
they Reside and can with little trouble deliver them yourself. The other
you will greatly oblige by forwarding as soon as Convenient

With Sentiments of Consideration & Respect
Your Friend and Ob't Serv't
Signed R. A. Irion Sec'y of State
Jn'o. C Eldredge C C D of State

To-
A. Millard
Election
Returns
+ Commissions
Forw'd

Department of State
City of Houston June 20th 1838

Hon Henry E Millard
Jefferson County
Dear Sir

I have the honor hereby to acknowledge
the receipt of yours of 13th Ult^o Communicating the Result of
an Election for Justices of the Peace held on the 2nd Inst and
for the Precinct of Beaumont. You will herewith Receive a Commission
for the Officers so Elected

With consideration &c
(Signed) R. A. Irion Sec'y of State

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To
A. Millard
Election
Returns &
Commission
Forwarded

Department of State
City of Houston June 20th 1838

Hon H. Millard Jeff Co
Dear Sir

Your letter enclosing Certificates of the election of Clerk Beach as justice of the peace has been Received

This is the first notice this Department has Received of the said election and Consequently no Commission has been Issued

You will however herewith Receive the Commission desired

Very respectfully yr Ob Servt
(Signed) R. A. Irion Sec'y of State

To
A. C. Read
Reception of
Surveyors
Bond &c

Department of State
City of Houston June 20th 1838

J. C. Read Esq
Beaumont
Dear Sir

Your Communication of 14th Ult. enclosing the bond of Oliver H. Delano Surveyor of the County of Jefferson has been duly Received

Very respectfully yr Friend & Ob Servt
(Signed) R. A. Irion Sec'y of State

To
A. Jones,
duplicate
Commission
Forwarded

Department of State
City of Houston, June 25th 1838

Oliver Jones Esq
San Felipe de Austin
Dear Sir

The Commission for I. H. Money of which you speak in your letter of the third Ultimo was forwarded immediately after his Appointment, but as it has never come to hand, I herewith transmit a duplicate

With respect Yr Ob Servt
(Signed) R. A. Irion Sec'y of State

to
Cicero Bland-
duplicate
Commission and
Forwarded to
Mr Arnold

Department of State
City of Houston June 25th 1838

To Cicero de Blanck Esq &
others of the County of Colorado

Gentlemen,

Yours of the 18th Ultimo addressed to his Excellency the President, has been duly Received, but owing to a prior appointment of W. J. C Hurd Esq in December last, whose Commission was forwarded at the time, but seems to have been lost

Mr Townsend has not been appointed. Mr Hurd's Commission has been Renewed, and it is confidently hoped that under him your County may be thoroughly organized

With Respect Yr Ob Servt R. A. Irion Sec'y of State

To-
A. J. Lester.
Laws
Forwarded

Department of State
City of Houston June 25th 1838

Hon L. J. Lester
La Grange

Sir

Yours of the 2d Inst has been Received.
In Compliance with your Request I herewith transmit the third volume
of the Laws of the Republic

Respectfully Yr Servt
R. A. Irion Secy of State

To-
W. B. Dewees.
Commission
Renewed
as Chf Justice

Department of State
City of Houston June 25th 1838

W. B. Dewes Esqr
Columbia, Sir

Your letter bearing date of 20th May
has been duly Received.
Enclosed you will find an Appointment for W. J. C.
Heard Esqr as Chief Justice of the County of Colorado.
Mr Heard was elected by joint vote of both Houses of
Congress, and Regularly appointed by the President in December last
and this Commission forwarded, but through the irregularity of
the mail was probably lost. I have therefore Renewed it.
Very Respectfully Yr Friend & Obt Servt
R. A. Irion Secy of State.

To-
J. A. Moody
relative to
holding
Elections in the
absence of the
Chf Justice

Department of State
City of Houston June 27 1838

J. A. Moody Esqr
Victoria
Dear Sir

Yours of the 17th ult, with petitions
of sundry citizens enclosed, has been Received.
In reply to the enquiry "whether an election can be
held during the absence of the Chief Justice of the County, and what
Officer may preside over the same? I would state, that it may
be held by one of the Associate Justices in pursuance of the 4th
Section of the Act incorporating the City of St Antonio and other
Towns therein named."
With Respect Yr Obt Servt
(Signed) R. A. Irion Secy of State.

Department of State
City of Houston June 27. 1838

J. A. Moody Esqr
Victoria
Dear Sir

Yours of the 17th ult with petitions
of sundry Citizens enclosed has been Received. In Reply

To the Engrossing Clk (this is a repetition of the foregoing letter)

Department of State
City of Houston July 16th 1838

To-
A. Rabb
reception of
resignation
as Ch Justice
&
N. W. Eastland
appointed

Hon A. Rabb Sen Grange Co

Sir,

Your letter of the ninth Ultimo tendering your Resignation of the Office of the Chief Justice of the County of Fayette has been received and the Resignation accepted

Enclosed you will receive an appointment for N. W. Eastland Esq. who has been selected to fill the said Office, which please forward with as little delay as possible

With Consideration and Respect
Yr Obt Servt R. A. Irion Secy of State

To-
B. T. Woodruff
reception of
resignation
as Ch Justice

Department of State
City of Houston July 20th 1838

Benjn T Woodruff Esq
Galveston

Dear Sir

I have the honor hereby to acknowledge the receipt of yours of 16th ult tendering your resignation as Justice of the Peace for the County of Galveston

In reply I would state that it has been accepted.

With respect Yr Obt Servt
Seymd R. A. Irion Secy of State.

To-
G. W. Hockley
relative to
granting
Bounty lands

Department of State
City of Houston July 20th 1838

Hon G. W. Hockley
Secy of War

Sir

With Regard to your note of yesterday on the subject of granting bounty lands, I have the honor herewith to transmit to you the opinion of the Attorney Genl which I hope will be satisfactory

I have the honor to be with great
Consideration & respect yr Obt Servt
(Signed) R. A. Irion Secy of State

To-
B. D. Townsend
relative to
purchasing
iron chests &c

Department of State
City of Houston July 21st 1838

Mr B D Townsend

Sir

I desire that you will purchase for this department of the Government four large Iron Fire proof chests for the preservation of papers

Respectfully Yr Obt Servt
(Signed) R. A. Irion

Fr
Sam Houston-
relative to an
illicit trade
at Corpus
Christi—
French
Blockade—
Conduct of
Consul at
N. Orleans—
Brigs Packet
of Durango
& Ye Ye

Department of State
City of Austin July 30th 1838.

His Excellency Sam Houston
President of Texas, Nacogdoches

Dear Sir

Daily information from the West seems to confirm the Report that a Regular System of illicit trade has been Commenced at Corpus christie, the object of which is to cover the conduct of the French blockade, by introducing Goods through Texas into Mexico. The Hon Secy of War will furnish you particulars on this subject.

I have Received nothing from Gen.l Henderson since your departure. I shall write him by the next mail of the Columbia assuring him that the necessary steps will be taken by this Government to prevent the evasion of the Blockade. Steps will be taken by the means at Texas at Command. One Agent better located would enable us to have intercourse with the French blockading squadron, which might be of great utility to us in preserving a good understanding with the French Government.

Maj.r Barr has returned from the United States who confirms the Reports which we have so frequently heard in relation to the influence which the Conduct of our Consul at New Orleans has exercised on our Currency in the U. States.

When the Promissory Note of Texas in that City were worth from 60 to 70 Cents in the Dollar, our Consul it seems advertised that he would purchase the said Notes; whereupon the Brokers called on him to know what he would give, to which he answered 40 Cents in the dollar.! This produced an immediate Reduction to that standard, which a Citizen and Official Agent of this Government thought proper to establish. It has ranged very near that value ever since, notwithstanding its scarcity. Our friends are indignant at the Course he has taken and now there is no doubt in my mind but he deserves the Censure of this Government, and immediate Removal.

We have had a full Cabinet meeting on this subject, and all Expressed themselves unequivocally in favor of his dismissal.

When Complaints of a similar Kind have, from time to time, been made to your Excellency on this subject you have Referred the matter to me for action. Therefore unless positively ordered to the Contrary he will be Removed, and another Appointment as soon as practicable.

At my Request Col Cocke has written to Col Christie to investigate the matter and Recommend some one known to be friendly to Texas that will accept the Appointment—in N. Orleans who although he is not a Citizen, will be free from that Sordidness of Soul which Could prompt him to injure actually a Country the true interests of which he should faithfully & Zealously advance and advance

Our Consul of New York on the eve of sailing for Europe has recently given notice of the same in a letter to your Excellency

He has appointed a Texas Consul to act during his absence

Mr Catlett who has charge of the Texan legation at Washington writes under date of the 22d June "Mr Preston's Resolution had been laid upon the table in the Senate by a vote of 24 to 14

The convention of Indemnity to American Citizens for injuries sustained by the Capture of the Pocket and imprisonment of the Durango which was concluded and signed at Houston on the 3d of May last has been ratified by the U. States, and the exchanges would take place in a few days

The Hon Anson Jones was to sail from Velasco on the Columbia on the 22d inst who had orders to proceed as expeditiously as possible to Washington, with full instructions on the subject of Treaty of limits and annexation

I think by the 1st of September the question of limits will be definitively adjusted, and the Commissioners to run the line will be required to meet in October

I herewith transmit to you a petition from the bar in favor of the appointment of the Hon John Birdsall to the office of Chief Justice of the Republic, which has been vacated by the death of the late Chief Justice Hemmingsworth...

I have the honor to be with great respect
Your friend & Obt Servt
(Signed) A. J. Donelson

No.
A. M. Gibson
Commission
Forwarded

Department of State
City of Houston July 28th 1838

Hon A. M. Gibson
Chief Justice, Galveston,

Sir

Your letter of the 17th ult. containing a Commission for G. B. Burdine as justice of the peace for the County of Galveston which should have been to J. H. Beaumont has been received

I have caused the mistake which was owing to a great press of business to be corrected, and herewith hand you a Commission for the proper Officer

With Respect Yr Obt Servt
R. A. Irion Sec'y of State

No.
J. A. Hill
relative to the
eligibility of a
citizen to
Congress

Department of State
City of Houston Aug 2d 1838

J. A. Hill Esq
Franklin, County of Robertson
Sir

Your letter of June 12th addressed to his Excellency the President proposing certain queries relative to the eligibility of a citizen of the Senatorial district of Milam has been duly received

In reply I herewith transmit the opinion

of the Attorney General; and Hope it may prove satisfactory to yourself and friends

Very respectfully Yr Obt Servt
R. A. Irion Secy of State.

To-
S. Lusk & Co
relative to
appointing
Auctioneers

Department of State
City of Houston August 2nd 1838

To Messrs Sam Lusk
W. W. Arrington
Thomas Gay
R. Stephenson Esqrs.

Gentlemen

Your letter of the 27th ultimo has been duly received

In reply to your application soliciting the appointment of Mr Ferguson Esq as Auctioneer for your County, I have the honor to state that Congress has made no Enactment providing for the Appointments of Auctioneers; and that it does not fall within the province of this Department to make said Appointment

With consideration & Respect yr Obt Servt
(Signed) R. A. Irion Secy of State.

To-
C. Tompkins
relative to
granting
Patents to
Inventors

Department of State
City of Houston Aug 2nd 1838

C. Tompkins Esqr
Washington Co
Ga.

I have the honor to acknowledge the Receipt of your letter bearing date of the 16th ultimo, and in reply would state that Congress as yet has passed no Enactment decreeing Rights by patents to Inventors

It is however presumed that Congress will give this subject early attention at its next meeting in November

Very respectfully Yr Obt Servt
R. A. Irion Secy of State

See page 48 this Book letter recorded of Aug. 6. 1838.

To-
R. H. Ford
Copy of Laws
forwd'd

Department of State
City of Houston August 10 1838

R. H. Ford Esq
County Surveyor
Goliad
Ga

Your letter bearing date of the 30th June last has just been Received

It is with some surprise that I receive the intelligence that you are as yet destitute of the Laws passed by Congress as they have always been sent to the different Counties in sufficient numbers to furnish each Civil Officer with a Complete volume. The Laws are forwarded from this Department to

care of the Chief Justice from whom the County Officers receive theirs, but lest they should not have been Elected by him, I have with forwarded you a Bill etc

Very respectfully Yr Obt Servt
Signed R. A. Irion Secy of State

To
Dr Kimball
Translation of
the Laws - the
same wanted
&c

Department of State
City of Houston Aug 21st 1838

Dr Kimball
Galveston

Sir I desire that you will as soon as possible Complete the translation of the Laws which you have in your possession, and come to this the same to Houston without delay

With great Respect Yr Obt Servt
Signed R. A Irion Secy of State

See page 47. & 48. of this Book Letters to Wm Brigham & A. Bullman. Comr's dated 24 Aug. 1838

To
A. Bullman
relative to
Colonization
Grants----

Department of State
City of Houston Aug 24 1838

Major A. Bullman
New York

Sir

Your Communication of 21st May last with certain "Articles of Agreement" accompanying I have the honor to acknowledge the receipt of

In reply I would state that it is not within the Province of this Department to enter into any Contracts of the nature of the one alluded to,

If any action upon the Contract is had, it must be taken by Congress, but it is hardly to be presumed that in the present Condition of the public domain the Government would wish to make Colonization Grants.

It is however sufficient to say that the subject manifestly Refers itself to the Legislative branch of the Government, and should be addressed to them.

Very respectfully yr Servt & Obt Servt
Signed R. A. Irion Secy of State

To
J. P. Pulsifer
reception of
Bonds & oaths
of Officers.

Department of State
City of Houston August 24th 1838

Jos. P Pulsifer Esqr
Beaumont

Sir

The Receipt of yours of the 8th ult. containing the Bonds of W. D Thomas as Deputy Surveyor, and the oath of Jos. P Pulsifer as President of the Board of Land Commissioners for the County of Jefferson is hereby acknowledged

Respectfully yr's &c
(Signed) R. A. Irion Secy of State

Fo-
L. M. Hitchcock)
reception of
D- returned
Port Galveston =

Department of State
City of Houston, Aug 3rd 1838

To L. M. Hitchcock Esr
Deputy Collector, Port of Galveston

Sir

The Receipt of yours of 3d inst accompanying the Returns of Passengers for the quarter ending the 30th June last, is hereby acknowledged

Very Respectfully
(Signed) R. A. Irion Secy of State
J. L. C. Eldredge C.C. Dept of State

Fa-
Chf Justice
Liberty Co-
resignation rec'd)
Wm M. Logan
as Sh ff

Department of State
City of Houston, August 3rd 1838

To the Chief Justice
of the County of Liberty

In Consequence of the Resignation of Wm M Logan, Sheriff for the County of Liberty of which this Department has this day been notified, you will proceed, (after having given due notice) to hold an Election to fill the vacancy above mentioned and transmit the Returns with as little delay as possible to this Department,

With Respect Yr Obt Servt
(Signed) R. A. Irion Secy of State

Fa-
C. VanNess-
relative to
difficulty between
Amers & Mexicans
and the
Tonkaway
Indians
near
Goliad-

Department of State
City of Houston Sept 12th 1838

T. C. Vanness Esqr
Sir,

It has been Represented to this Department by Col Pinckney Caldwell 12r Muster, that Certain Americans and Mexicans in and about Goliad have taken by force a number of Horses from the Tonkawa Indians, caused them to be sold at Auction, and appropriated the proceeds thereof to their own use.

Those Indians are friendly and seem disposed to observe the Treaty which they Concluded with this Government several months since.

Acts of this Kind are eminently Calculated to Alienate their feelings, and must unless Restitution is made Convince them that we disregard the treaty Referred to, and they will Consider it no longer binding on them.

It is a matter the adjustment of which devolves exclusively on the Civil Authorities I therefore Request you as the District Attorney of the District in which the said Acts were Committed to see that Justice is done in the Case between the Parties Concerned; using at the same time the Prudence and Caution which the peculiar Circumstances of the affair seem to demand

The Indians & perhaps would

Satisfied, with either the Restitution of the Horses, or the amount of money for which they were sold

Have the Respectfully Yr Obt Servt
(Signed) R. B Johnson Secy of State

See page 49 of this Book Letter to Chf. Justice of Fort Bend Co. Sept. 18. 1838

Department of State
City of Houston September 18th 1838

Hon Wyley Martin
Fort Bend County

Sir

I am instructed by the Hon Secretary of State to acknowledge the Receipt of your favor of the 10th Inst with Returns of Election accompanying

Have the Respectfully Yr Obt Servt
Jos C. Eldredge C. Clerk Dept State

For. W. Martins Elections Returns

Department of State
City of Houston Sept 18th 1838

William M Logan Esqr
Liberty

Sir

I am instructed by the Hon Secretary of State to inform you in Reply to yours of the 13th inst, that no Resignation has been Received at this Department from H.B. Johnston Esqr as Justice of the Peace, or Associate Land Commissioner

Have the Respectfully Yr Obt Servt
(Signed) Jos C Eldredge C. Clerk Dept of State

For. W. M. Logans Resignations Post Rec'd

Department of State
City of Houston Oct 25th 1838

Hon Chief Justice
County of Gonzales

Sir

Enclosed you will Receive the Commissions of George Blair, J. H. Rousse & H. B. Henderson Esqrs as Justices of the Peace, for the County of Gonzales Recently Elected

Respectfully Yr Obt Servt
Signed Jos C. Eldredge C. C Dept of State

For. Chf Justice Gonzales Co. Commissions Forwd'd

Recd Sept 20th 1838 John L. Hodge
Ans Sept 21st 1838 John L

Department of State
City of Houston October 20th 1838

Hugh B Johnston Esq
Liberty

Sir

The Receipt by yours of 28th ult with Commissions as Associate Land Commr and Justice of the Peace for the County of Liberty accompanying is hereby acknowledged

Have the Respectfully Yr Obt Servt
Signed Jos C. Eldredge C. C Dept of State

For. A. B. Johnston Receipt of Commissions as Land Com & J. Peace

Department of State
City of Houston February 19th 1838

William Mitchell Esqr
and others of the County of Gonzales
Gentlemen

A Remonstrance and Petition signed by a portion of the Citizens of this County of Gonzales has been Received In reply I would state that this Department acts on the official returns of the (previously recorded)

City of Houston Oct 25 1838
Department of State

to
J. L. Johnson
Reception of
resignation as
Justice Peace

J. L. Johnson Esqr, County of Fort Bend
Sir
Yours of 30th Sept tendering your Resignation As Justice of the Peace for the County of Fort Bend has been Received and Accepted
Very Respectfully Yr Obt Servt
For H Eldridge C Clerk Dept State

Recorded in this Book - Letter to Sec. of State of Nov. 6. 1838

Department of State
Houston Nov 7. 1838

To
Mr Monwood
despatched
to Gen Rusk
re

Mr Monwood
Sir
You will immediately Repair to Nacogdoches, and deliver your Despatches to Gen Rusk, unless you should Satisfactorily learn that he is at some other point, which being the Case, it will not be necessary for you to go to Nacogdoches, but you will proceed with all Speed to join him at whatsoever place he may be
Respectfully Your Obt Servt
For A. C. Eldridge C of the Dept State

To
J. A. Moody
relative to
licened
establishments
&c

Department of State
City of Houston Aug 24th 1838

J. A. Moody Esqr
Sir
Your Communication Requesting information Regard to the Act to raise a Revenue by direct taxation has been Received. In reply I have to State that the licence fee is to be considered Assessed upon the Establishment and not upon the persons Except in the case of Pedlars, who are understood to be travelling traders passing from place to place and County to County
The Establishment therefore which has paid its yearly licence may be used throughout the year in the business for which licenced, no matter by whom.
Very Respectfully
By Obt Servt
(Signed) R A Irion Secy of State

48

To
Wm Clarke
resignation as
Representative

Department of State
Houston March 3d 1838

Hon Wm Clarke

Dear Sir

Yours of — Ultimo tendering your resignation as Representative, for the County of Sabine, has been duly Received and proclamation to fill the vacancy issued

Very respectfully yr Friends & Obt Servts
R. A. Irion & J. C. Eldridge C. C. Dept of State

This Letter belongs Page 36

Executive Department
City of Houston, May 10th 1838

Sir

You are hereby requested to furnish the Executive with a Statement of the Printing ... which has been executed by Cruger & Moore for the Dept. of ... expressing the charge for each item.

Respectfully y'r obt.
Servant.

Hon. . . .
Sec of . . . .
War. Treasury
P. O. Dep't Navy

To
A. Brigham
relative to
Mr. Hunts
out fit
& Salary
as minister
to U. S.

This letter belongs Page 3

Department of State
City of Houston, August 1st 1838

Sir

It is the wish of the President that the amount which this Government owes Gen. Hunt for Out fit and Salary, as Minister Plenipotentiary of this Republic to that of the United States of America, should be paid as soon as possible

Respectfully your
Obt. Servant
R. A. Irion

Asa Brigham Esqr
Treasurer of Texas

To
L. M. Hitchcock
reception of
Returns
Port Galveston.

Department of State
City of Houston aug 24th 1838

Sir

The receipt of yours of the 3rd inst. accompanying the returns of Passengers for the quarter ending the 30th June last, is hereby acknowledged

Very Respectfully
R. A. Irion
Secretary of State
Per Joseph C. Eldridge
Chief Clerk of Dept of State

L. M. Hitchcock Esqr
Galveston

To
W. Martin
Election
Returns—

Department of State
City of Houston Sept. 18th 1838

Sir

I am instructed by the How Secretary of State, to acknowledge the receipt of Yr favor of the 10th Inst. with returns of election accompanying.

Very Respectfully
Yr obt Servant
Jos. C. Eldredge
Chf. Clk. Dep. of State

How. Wyly Martin
Chief Justice
Cty of Fort Bend

To
Dr Kimball
Relative to the
translation of
the Spanish
Laws &c &c

Department of State
City of Houston, Septr 26th 1838

Dr Kimball
Galveston

Sir

The translation of the Spanish Laws which you forwarded by Docr Jones has been received, and I am happy to state, was pronounced a good one so far as it has been examined.

It will be necessary for you to correct the proof sheets, which will require your presence here, I suppose about two weeks.

The first proof will be struck off in about a week, and should it be inconvenient for you to come up so soon I will send it to you, which you can correct and return

Very Respectfully
your obt. Svt.
R. A. Irion

Report

Department of War
6th Nov 1838

To the Hon. R A. Irion
Secry of State

Sir

The ordnance Department will require a separate office in the Capitol. will you be pleased to order that we continue to occupy that now in use being the same formerly designated for the Engineer Department, which is now connected with it—

Your Very Respectfully
Your mo. Ob. Sv.
Geo W. Hockley
Col. Ord...

Reports

See page 56 of this Book Letter to Sec of Treasury Nov 14. 1838.

Department of State
City of Houston Nov 15th 1838

to
J. G. Wright
relative to the
right of
Jurisdiction
near the bound-
ary line of
U.S. & Texas
Licenses &c

J. G. Wright Esqr
Clk Dist Court Red River County

Sir

In reply to the enquiries contained in your letter to this Department of Augt 15th last I am directed by the Secretary of State to say. that by reference to the Treaty of limits between the Republic of Texas and the United States, concluded on the 25th day of April last you will find, that until the line shall be marked out, of which due Notice will be given you, each of the Contracting parties continue to exercise jurisdiction in all territory over which its jurisdiction has heretofore been exercised, and that by reference to the 10 Section of an act to raise a public revenue by direct taxation, he will see that all pedlars of goods &c are required to pay for license to sell, fifty dollars and five hundred for vending without license the former recoverable before a Magistrate, the latter in the District or County Courts

Respectfully yours &c
Nathan Amory
acting Chf Clk Dept of State

See page 57. of this Book Letter to Sec of Treasury of Dec. 8. 1838.

Department of State
City of Houston Dec 14 1838

To
Thos Toby
relative to
indemnification
of the Schooner
Eliza Rusel

Sir

Yours of the 14th instant, respecting the Claim of Lloyds, forwarded to this department by your predecessor, for indemnity and damage for the Capture and detention of the Schooner Eliza Rusel, has been received.

In reply. I have to state that it has become a matter of negotiation between our minister to Great Brittain, General Henderson, and that Government.

However efforts will be made to induce Congress to make a Provision for said Claim.

Very Respectfully
your obt Servant
R. A. Irion

Thomas Toby Esqr
Texian Consul
New Orleans

House of
Representatives
Copies of
Constitution
and Laws
transmitted

In Compliance with the resolution of the House of Representatives of this date, I have the honor to transmit herewith Copies of the Constitution and laws of the Republic for the use of the Members

Respectfully yours &c
(Signed) B. E. Bee

How J. M. Hansford
Speaker of the House of Representatives

Department of State
City of Houston Nov 30th 1838

To
J. Toby
relative to
indemnification
of the Schooner
Eliza Rusel

Sir

Yours of the 14th instant, respecting the Claim of Lloyds, forwarded to this department by your predecessor, for indemnity and damage for the Capture and detention of the Schooner Eliza Rusel, has been received.

In reply. I have to state that it has become a matter of negotiation between our minister to Great Brittain, General Henderson, and that Government.

However efforts will be made to induce Congress to make a Provision for said Claim.

Very Respectfully
your obt Servant
R. A. Irion

Thomas Toby Esqr
Texian Consul
New Orleans

Assignment of Appointment &c
Dec. 8th 1838

Department of State
City of Houston, Decr 8th 1838

To
H. Smith
Sec. of Treas.
Relative to
treaty of amity,
navigation &
Commerce
between U S.
& Mexico

Sir

I have the honor to transmit herewith a copy of an arrangement entered into between the Governments of the United States of America and Texas, on the 23rd June last, respecting the Treaty of Amity, Navigation and Commerce, existing between the said United States and Mexico, and the accompanying documents, relative to the same subject: to which by direction of His Excellency, Your attention is requested.

The Consular instructions were forwarded to all the officers of the Government, whose duties are connected with the Commercial relations of the Governments of the United States & Texas, in order to apprize them of the existance of the arrangement refered to; which, however, it is ascertained, did not reach their destination, as was intended.

I have the honor to be, with Respect and Esteem
Obt Servant
R. A. Irion

Hon H Smith
Secretary of the Treasury.

To
Department of State
City of Houston Decr 10th 1838

Sir

Until the President can make the necessary arrangements for the organization of his Cabinet.

I am requested by him to say, that he desires you will discharge the duties of your department. Should it not however be convenient, he do kind as to inform me in order that I may take the necessary Steps

I have the honor to be
with great respect
yours &c
Barnard E. Bee.

To
Hon A S. Thurston
Atty General
" Chas Mason
acting Secy of War
" Henry Smith
Secy of Treasury
" Wm Shepherd
Secy of Navy.

To
President
of the Senate
Copies of the
Journals
Transmitted

Department of State
Houston Dec 15th 1838

Sir

I have the honor to transmit herewith fifteen copies of the Journals of the Senate, Adjourned session Second Congress, for the use of the Senate.

Respectfully
Your Obt Servt
Nath. Amory C. Clk

Hon. David G Burnet
President of the Senate.

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To
Wm. M. Shepherd
Sec of Navy
organization
of the Cabinet
his exit
from office

Department of State.
15th December 1838.

Sir

The Cabinet having been formed, the President returns upon his thanks; and in the absence of Genl. Hunt I am now ready to receive the Department hitherto under your control.

I have the honor
to be yours &c.
Barnard E. Bee.

Hon Wm. M Shepherd
Secretary of the Navy.

To
Colonel
Change of
administration
organization
of the Cabinet
&c

Department of State.
Houston 24th December 1838

Sir,

In conformity with the Constitution a new administration of this Republic commenced its functions on the 10th December instant; in accordance with the comity of Nations, upon which the Secretary of State of the United States will notify the Secretary of State of this change, and of the existing Government. viz;

Mirabeau B. Lamar, President.
David G. Burnet, Vice President.

—Cabinet—

Barnard E. Bee Secretary of State.
R. G. Dunlap " " the Treasury.
A. Sydney Johnston " " War.
Mirabeau Hunt " " the Navy.
John C. Watrous Attorney General.

You will present the high consideration of the President to the Government of the United States, and, upon all points connected with your mission, you will communicate with this Department. A Secretary of Legation will forthwith be sent to you.

I am respectfully yours.

Hon. Memucan Hunt.
Minister of the Republic of Texas
near the Government of the United States.

Barnard E. Bee.

To
A. Anderson
Change of
administration

Department of State
City of Houston 24th December 1838.

Sir

You will communicate to the Government of Great Britain and France, that, under the Constitutional powers of the Executive, a change of the officers of this Republic took place on the 10th instant, as follows.

Mirabeau B. Lamar, President.
David G. Burnet, Vice President.

—Cabinet—

Barnard E. Bee, Secretary of State.
R. G. Dunlap " " the Treasury.

To
A. Sydney Johnston, Secretary of War.
Mexican Guest, " " the Navy.
Colin C. Mahons " Attorney General.

You will tender to the ancient Government of Britain and France the high assurances of the consideration of the President.

I am,
A. Sidney Henderson
Agent of the Republic of Texas
near the Governments of Great
Britain and France.

Department of State
Houston Dec 2d 1838.

Respectfully yours
Barnard & Bee.

To
Wm. F. Byrne
Transmission of
despatches.

Sir,

Enclosed are two communications, one for Washington, the other for London; please make such disposition of them as to insure their safe transmission

Respectfully yours
Barnard E. Bee.

William Byrne Esq.
Levee Centre, New Orleans.

To
E. H. Tarrant
Commission
Forwarded

Department of State
Houston Dec 2d 38

Sir

The accompanying Commission for John I Newman Esq. as Surveyor for the County of Red River, you will please present him, when he shall have executed a Bond according to law

Respectfully
Barnard E. Bee

Hon. Edward H Tarrant
Chief Jus. County of Red River

To
A. Robb
Commission
Forwarded

Department of State
Houston Dec 2d 38

Sir

The accompanying Commission for James P. Hughes Esq. as Surveyor for your County, you will please present, when the Bond shall have been executed according to law

Respectfully
Barnard E. Bee

Hon. A. Robb
Chief Jus. County Fayette

To
E. Seguin
Commission
Forwarded

Department of State
Houston Dec 2d 38

Sir

The accompanying Commission for William Lyndsey Esq. as Surveyor for the County of Bexar, you will please present him, when he shall have executed a Bond according to law

Respectfully

Hon. Erasmo Seguin

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Chief Justice of the County Brazos }

Yours &c
Barnard E. Bee

Sp.

To-
A. Brisco
Commissioner
Forwarded

Department of State
Houston Decr 27th 1838

Sir

The accompanying commission for Henry Trotter Esqr as Surveyor for the County of Harrisburg you will please present him when he shall have executed a Bond according to law

Hon: A Brisco
Chief Jus: County Harrisburg }

Respectfully Yours &c
Barnard E. Bee

Sp.

To-
M. Austin
Relative to the
Organization
of the Navy-

Department of State
December 28th 1838

Sir

The President is solicitous (if entirely Convenient to you) that as you are now in the U.S. you should visit Baltimore, and judge for yourself of the Medal timbers &c. and the progress, that is making in the construction of the 18 Gun Brig two Barques Mounting 12 Guns each and 3 Schrs Mounting 6 & 7 Guns each Ordered to be built Under an act Passed 1837, and Contracted for by Mr Williams the Navy Agent of this Republic.

As we are entirely destitute of Officers Save Some two or 3 Lieutenants the President thinks you will be rendering a most essential Service, by endeavoring to procure from the U.S Service, Young officers distinguished for nautical Skill as well as the Courtesy which adorns their profession.

Under your direction the President expects a Navy to be reared, and believes that by a judicious Selection of your officers! One of the chief means will have been attained

It is said that Capt Thos A.R. Gatesby Jones will take a commission. with the Gentleman I am not personally acquainted, but understand he has the reputation of a skilful and Scientific officer

By Consulting with Mr Poinsett at Washington Genl Hamilton at Charleston and Captain Wm B. Shubrick at Baltimore. I am Confident you can obtain Some of the finest Young men in the U.S. Navy, The Steamer Charleston Purchased by Mr Williams through the aid of Mr Holford of London will have to be officered.

Capt Pennoyer at present in Command Genl Hamilton is very anxious you should retain, this the President approves, presuming that Captain Pennoyer will be only the Navigator or Sailing Master

of the Boat subject to the Command of an officer of Skill and Science, as Some months perhaps a year will elapse before the vessel can be finished the President does not wish the appointments to be made until about the period, then their services will be wanted. This economy is strongly urged by the crippled condition of our finance. The principal desire of the President is to ascertain if they will take commissions and if they are such officers as you would take a pleasure in having under your direction

During your absence I have been requested to take charge of your Dept and hence have the honor of addressing you

How Memucan Hunt.

To
M. A. Bryant
appointment as
Secretary of
Legation to
U States

Department of State
City of Houston Dec 28th 1838

Sir

I have great pleasure in informing you that the President with the advice of the Senate, has appointed you Secretary of Legation at the Seat of Government of the U. States. As early as will suit your convenience, you will take your departure, as the minister is at this time without a Secretary, You can either report in person or by letter to this Department.

I am Respectfy
Barnard E. Bee

M Austin Bryant (Esq)

To
Genl Hamilton
relative to a
contract between
Mr Williams &
Genl Hamilton
confirmation
of Mr Holford

Navy Department Houston
December 28th 1838

Sir

In the transfer of the papers from the late administration, your letter of Nov. 3rd 1838 dated Savannah was handed to me. The proposition it contained it seems was favorably received by the Government they however decline acting upon it, preferring that the new administration should take it under consideration, it gave me great pleasure to say that on submitting your letter together with Mr Williams to the President he at once sanctioned the proceedings and I am instructed to say the Contract made between Mr Williams and yourself is altogether Satisfactory, and will be considered binding on the part of this Dept

The Committees of both Houses of Congress are prepared to bring on the act on this subject, and I have repeatedly urged them to do so in time to communicate by this Boat.

The act will be sent you by Judge Franklin who will leave on the next Boat for Charleston

The Country feels deeply indebted to Mr Holford for his munificent liberality and will leave it for him to say how he shall be compensated which the Government is ready to do in any manner he may elect except perhaps in its promisory notes" of which there is scarcely enough

I am Very Respectfully
Yours

Genl Hamilton

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To-
T. S. Hamilton
appointment
as Consul
Port of
Charleston-

Department of State
Houston Dec. 28th 1838

Thomas Lynch Hamilton Esqr.

Sir

I have the pleasure of Communicating to you, your appointment as Consul for Charleston for the Republic of Texas, rendered Vacant by the lamented death of your late Brother

In Compliance with our Consular regulations (similer to those of the U. S.) you will furnish this department with your bond for Two thousand Dollars.

I need scarcely add the infinite personal Satisfaction, I take in thus Communicating with the Son of my inestimable friend

Very Respectfully
B. E. Bee

To-
E. A. Tarrant-
Commission
to County
Surveyor
revoked-

Department of State
Houston Janry. 3rd 1839

Sir

A commission from this Depart. was inadvertenly issued to a County Surveyor recently elected by a joint Vote of both Houses for the County of Red River.

And forwarded to you with instructions to deliver the same on his executing the necessary Bond— The name was Jefferson Milam.

The existing relations between this Government & that of the U. S. make it imperative on me to require the Commission to be returned to this Depart. as any acts of his in virtue thereof will be illegal

Respectfully
Yours
B. E. Bee

Hon Edward A Tarrant
Chief Justice Red River Co

To
Sec. of Rep. of
Com. on Finance-
relative to
Govt
expenditures-
Salaries of
Officers-

[A letter has been written on this day in answer to Page 13 of this book.]

Department of State
City of Houston Sept. 22nd 1837

Sir

In reply to your note of yesterday requesting a statement of an amount that will be necessary for the expenditures of the Government during the ensuing Year, I have to remark, that owing to the want of former estimates on which to found the present. I am unable to make one which can be considered accurate; I think, however, the following will be sufficiently to for the purpose intended

Secretarys and Clerks.	$6500.00
Stationary fuel and lights	1200.00
Contingencies	500.00
Printing.	2500 00
Two Foreign Ministers	9 000 00
Two Secretaries of Legation	4 000.00
Incedentiae expenses of Leg. Legation	2 000.00 $28200.00

Judiciary

Chief Justice	5000.00	
Four District Judges @ $3000.00 ea	$12.000 00	$17000.00

General Land office

Commissioner of Land office	$3000.00	
Clerks for do.	3000.00	
Stationary	1000.00	
Contingencies	1000.00	8000.00
		$25000.00

How
Chairman Committee on
Claims and accounts
Should have been Finance

Very Respectfully
Your obt. Servant
R. A. Irion
Secy of State

To-
S. H. Everett
Com. on Finance
Relative to
Government
expenditures

Department of State

Sir.

In reply to your note requesting a statement of the probable expenditures of this branch of the Government for the ensuing year. I have the honor of submitting the following estimate, which I think will embrace the subject

How S.H. Everett Chairman of Comm.
Finance on Claims & Accounts.

Estimate for the ensuing
year 1839 on Page 58

I am Very Respect.
Yours
Barnard E. Bee

To-
Speaker of the
H. of Repr.
Resignations
of Chf. Justice

Department of State
Houston Jany. 8th 1839

Sir

I have to report the resignations of The Hon. Francis J. Garey Chief Justice of the County of Sabine.—

How John Hayes A. Justice of the County of Victoria, How A.W. Gibson A. Justice of the County of Galveston, in order that the Vacancies thus occasioned, may be supplied.

Very Respectfully
Your Ob.
Barnard E. Bee.

How J. M. Hansford
Speaker of House Repr.

To-
Speaker of the
H. of Repr.
Relative to the
Number of
Clerks in
this Dept.

Department of State
Houston Jany 8th 1839

Sir

In reply to the resolution of the House of Represent.—atives, requesting information relative to the number of Clerks employed in this Department, I have to state, that including the Chief Clerk there are five, all of whom I conceive indispensable at present, as there remains much recording & copying to be done, I beg leave however to assure the House that with a due regard to economy, this number will be lessened, so soon as the business of the Department will admit.—

How J. M. Hansford
Speaker of the House of Repr.

Very Respectfully
Your
Barnard E. B.

58

Estimate of the current expenses for the year ensuing of the Department of State, Judiciary & General Land office.

Estimate of Expenses

Department of State

Secretary and Clerks	$8600	
Stationary, fuel and lights	1400	
Printing	25000	
Foreign Agents, ministers, Secretaries of Legation &c.	32000	$67000.00

Judiciary

Chief Justice	$ 3000	
Five District Judges @ 3000 ea	15000	20000.00

General Land office

Commissioner and Clerks.	$ 9500	
Translator.	2000	
Stationary & Contingent	1500	13000.00
		$100000.00

Department of State
Houston Jany. 5th 1839

Barnard E. Bee.

To
Speaker of the
H. of Repvs
relative to
printing &
paying the
Same

Department of State
Houston Jany. 9th 1839

Sir

The public printing of the Journals of the General Council, Journal of the House of Reps and a transcript of the Register of the Genl Land office, now in progress under Contract by Mr Whiting amounts according to his estimate to about Eight thousand five hundred dollars and is in a state of forwardness Under these circumstances he has called upon this Department for an advance, and desirous to hasten the completion of the work, (in the absence of all authority) I have thought proper to lay the subject before the House in order that I may be allowed discretion in this and similar cases, and that an amount be placed at my disposal.

I would observe that the amount for Printing now due printing on hand, and to be undertaken the ensuing Year, I conceive will amount to about Twenty five thousand dollars.

Very Respectfully
Yours &c
Barnard E. Bee

Hon J. McMansford.
Speaker of the House of Repvs

To
Senate
relative to
Expenses
of Govt

Department of State
Houston Jany 9 1839

Sir

I have the honor of submitting a general estimate of the expenses of the Government for the ensuing year, and embracing the partial estimate which I furnished a few days since, Hoping this will prove satisfactory.

I am very Respectfully
Yours
Barnard E. Bee

Hon S. Rhoads Fisher
Secy of State

To
Chf Justice
Houston Co-
Election
Returns
informal=

Department of State
Houston Janry 12th 1839

Sir

The letter and accompanying returns of election dated Janry 3rd for three Justices Peace and Sheriff for Houston County was not signed the Date of election was not mentioned neither the precincts or Militia Beats for which they were elected, all these particulars you will please forward this Department without delay

Respectfully
Yours
A. Amory C. Clerk.
Department State

To Chief Justice of
Houston County.

To-
Anson Jones
Minister to
U. States=
introduction
of Mr. A. Bryan
as Secretary
of Legation=

Department of State
Houston January 14th 1839

Sir

In introducing Mr. M. Austin Bryan as Secretary of Legation, I have great pleasure both as to his own merit, and as the Nephew of the late Celebrated Stephen F. Austin,

I am very sure you will receive him cordially.

I am respectfully
Yours.
Barnard E. Bee
Department of State
Houston January 16th 1839

Hon Thomas Benton
Mr Jos R Poinsett
Mr J C. Calhoun
Mr Wm Preston
Mr Wardy Thompson
" Franklin Elmore
" Daniel Webster
" Henry Clay
Mr Walker.

Sir

In introducing Mr Bryan as your Secretary of Legation you will recognise a young Gentleman, entirely known to you both as a Soldier of the 21st and a neighbour— You will introduce him to the Secretary of State as having the full confidence of the Government

Hon Anson Jones.
Minister Plenp of the Repc. of Texas
Washington

I am respectfully
Yours
Barnard E. Bee.

To-
The Senate
U. States
Finance Com.
Estimates
of Govt

Department of State
Houston Janp. 13 1839

Sir

I have the Honor to transmit a General estimate of the expenses of the Government for the ensuing Year. and embrace the Partial estimate furnished a few days since

Respectfully
Your
S. E. Bee.

Hon S. H. Everitt
Chairman Com Finance.
Senate.

Estimate of the Current expenses for the year ensuing of various Departments of the Government
Executive.

President's Salary	$10 000 00	
Private Secretary of the President	2 500 00	
Expenses for House Furniture etc.	5000 00	
Vice President.	3000	$ 20.500
Department of State		
Secretary and Clerks.	980	
Stationary Fuel and Lights	1400	
Printing.	25000	
Foreign Agents Ministers Secretaries of Legations	32 000	
Attorney General.	3.000	71 200
Judiciary		
Chief Justice	5000	
5 District Judges @ 3000 each	15.000	20 000
Treasury Department		
Secretary of the Treasury	3 500	
Chief Clerk.	1 500	
Assistant Clerk	1200	
Book Keeper of Revenue	1500	
Stationary Signing Promiss'y notes &c	3 500	
1st Auditor	2 500	
Chief Clerk	1 500	
ass't Do	1200	
Blanks & Stationary	800	
2nd Auditor	2500	
Chief Clerk.	1500	
ass't Do.	1200	
Blanks &c.	800	
Comptroller	2500	
Chief Clerk.	1500	
Stationary &c.	400	
Stock Commissioner	1500	
Chief Clerk	1500	
Blanks &c.	500	
Office Rent.	600	
Treasurer.	2500	
Chief Clerk	1500	
Book Keeper	1500	
Stationary &c.	750	
Comptroller of Stock Fund.	1500	
Capitol $5000 appropriated		
for rent, Superintendent Porters & Ward.	4900	44.350
House of Representatives		
Pay of 38 members 150 days present regular Session @ $5.	28 500	28.500
		$ 184.550.00

Amount brought forward			184.550
House of Representatives			
Pay of ~~36~~ members 30 days Extra Session	$5	$ 5.700	
Speaker	$7.	210	
150 days this & next regular Session	$7	1.050	
# Sergeant at Arms 150 days. c	$5	750	
30 Extra.	$5	150	
Reporter 30 "	$8	240	
150 days this & next regular Session c	$8	1.200	
Chaplain 150 days.	$5.	750	
30 Extra Session	5.	150	
Printing		1.000	
this and regular Session		5.000	
Contingent Expenses.		1.800	
Extra.		300	18.300
Senate			
14 members present & Next regular Session 150 days	$5	c $ 10.500	
Extra Session 30 days.	c 5	2.100	
President pro tem Extra Session 30 "	c 7	210	
And present regular Session 150 "	c 7.	1.050	
4 Clerks 150 days c $6 present & regular Session	5	3.600	
30 " c 6 Extra Session		720	
Sergeant at arms 150 days present & regular Session	$5.	750	
Extra. 30 " " " "	$5.	150	
Reporter 150 " " " "	$8.	1.200	
30 " Extra	$8	240	
Chaplain 150 days present & regular Session	$5	750	
30 " Extra Session	$5.	150	
Door Keeper 150 " present & regular Session	7	1.050	
30 " Extra	7	210	
Printing regular & present Session		3.000	
Extra		1.000	
Contingent Expenses		2.000	
Interpreter Extra & present & regular Session 150 days 30 c $5.		900	29.530
General Land Office			
Commissioner Gen[l] Land office and Clerk		$ 9.500	
Draughtsman		2.000	
Stationary and Contingent		1.500	
Clerk in Quarter Master General office		1.500	14.500
Navy Department			
Secretary and Clerks		$6.200	
Stationary, fuel &c.		200	6.400
Amount to be paid U. States Govern[t] on account of the Capture seizure & detention of the Brigs Pocket and Pizarro, according to the Convention between the Govenment of the U. States & Texas.		11.750	11/26

Am't brought forward		$265.080
amount for rem[illegible] the boundary line limites		3 670
Department of War. Department proper.		11 852
Dr Master Generals office		4 350
Ordinance Department		3 540
Pay Master Generals office		2.075
Adj.t Generals office		4 305
Surgeon Generals office		1 300
		$295.942
#		
4 Clerks 150 days	$6.	3.600
30 Extra	$6	720
Door Keeper 30 "	$7.	210
150 days this present regular Session	$7.	1.050
		301.022

omitted in Register

Circular to Chf Justices relative to making their returns

Department of State
Houston Jany 15th 1839

Whereas, in many instances imperfect returns have been transmitted to this Department of the election of civil officers in the different Counties, and in others no returns have been received,—

Take this mode of communicating the desire that the Chief Justice of each County or (in the absence of such) some Justice of the Peace, will furnish immediately to me, the following information. Viz,

The name, date of election, Militia beat and precinct of each Justice of the Peace.

The name and date of election of Sheriff County and District Clerks, also report any County officers entitled to commissions who may have received the same

And in future I would enjoin upon all those who may have occasion to make returns to this Department in so doing to mention the particulars above referred to

For the Telegraph
Circular

Barnard E. Bee
Secy of State

to Speaker of the H. of Reps relative to compensation of Foreign Ministers & Secretary

Department of State
January 14th 1839

To the Speaker of the House,

The Secy of State begs leave to call the attention of the House to the situation of our Minister at the Court of Great Britain and France, he is necessarily at great expense and it would seem but just that an outfit be allowed to him to the latter Court as well as to his Secretary in order that they may in some degree be compensated

To
Speaker of the
H. of Repts
relative to
printing the
Journals of the
Genl Council

Department of State

Sir,

The Journals of the proceedings of the General Council are about going to press. They are extremely important as containing the early Views of the Country, I am not Inclined in ordering a larger number than five hundred Copies, to be struck off without the authority of the How Congress.—

Permit me to suggest the propriety of having a joint resolution requiring one thousand Copies to be printed.—

Very Respectfully
Barnard. E. Bee.

Speaker House of Repts

To
Speaker of the
H. of Repts
resignation of
R M Williamson
Dist Judge

Department of State
Houston 22nd Jany 1839

Sir

I have this moment recd a letter from the Hon. R. M. Williamson tendering his resignation as District Judge, for the 3rd Judicial District of the Republic I hasten to communicate the information to the Honorable House that the Vacancy may be filled before the adjournment of Congress

and am Vy. Respectfully
Yours.
Barnard. E. Bee

So Hon John. W. Hansford
Speaker of House of Repts

To
Wm Bryan
relative to
Consular
Archives
&c

Department of State
Houston Janr. 24th 1839

Sir

I am instructed by the Secy of State to inform you, that your letter of 14th Inst. with accompanying receipt for Consular Archives has been received at this Department— and that a complete set of the laws of this Republic will be sent you so soon as those of the present Session are published which will be very shortly.

Respectfully
Yours.
Nath Amory

Wm Bryan Esqr
Consul for the Republic of Texas
New orleans

To
Dr Kimball
relative to
translating the
laws into the
Castillian
Language

Department of State
Houston Jany 29th 1839

Sir,

Will you inform the Department if you are desirous to translate certain general Laws of the Republic into Castillian and if so when you will visit Houston for the purpose of making a proposition, & for inspecting the work required.

an immediate reply is requested

Respectfully yrs
Nanary Chief Clk
w/ order of the Secy of State

Dr Kimball

64

to
J. Reily
relative to
procuring a
seal, flags
&c——

Department of State
Houston Janʸ. 28th 1839

Sir

I hands you herewith a letter to Wm Bryan Esqr. Consul New Orleans requesting him to procure a seal and twenty flags for this Government. Should you succeed in obtaining money as Commissioner of Texas, the President directs me to say that you are authorized to pay out of the same the amount which said articles may cost.

Respectfully Yrs.
Barnard E. Bee

James Reily Esqr

to
Wm Bryan
relative to
procuring a
great seal,
flags &c

Department of State
Houston Janʸ. 28 1839

Sir

Majr Reily will hand you the design of a new flag and great seal of the Republic of Texas, in conformity with an act passed the late Session of Congress. Please have the Seal, handsomely executed and sent to this Department either by the bearer or by some other safe opportunity as soon as possible.

also wish you to have twenty flags made according to the description sent by Majr Reily send one to each of the other Consuls retain one yourself and the remainder forward to this Department.

As regards the Size, Materials, Style generally, you will exercise your discretion observing to send two large ones for the Government here.

Wm Bryan Esqr.
Consul for the Republic Texas
N. Orleans

Respectfully Yrs
Barnard E. Bee.

to
Sam Houston
Esqr
relative to passports to go to the United States

Department of State
Houston Janʸ. 30th 1839

Sir

In giving you a Passport to the United States. It is scarcely to be expected that the Signature of my name can add to the facilities of your movements. You Know I am no flatterer. but the Commander at San Jacinto. and the Ex President of the Republic, must be too well known to require its official Seal.

I have however most cheerfully complied with your request.

Genl. Sam Houston.

and have the honor to be
Very Respectfully yrs.
Barnad. E. Bee.

To
President
of Texas
Report

Department of State
City of Houston 30th Jan. 1839.

To the President of the
Republic of Texas,

Sir,

In assembly to your instructions, I have the honor herewith to transmit to your Excellency a Report on various subjects connected with this Department.

The important relations which we desire to establish and maintain with foreign powers to whose courts accredited Agents or Ministers Plenipotentiary may be sent by this Government, renders it necessary that provisions should be made by Law for such embassies, suitable to the rank entertained by them by their respective appointments, in order that they may sustain themselves in a manner corresponding with the strictest courtesy observed in such intercourse between free and independent sovereignties.

The United States' Legations are allowed from $500 to $2.000, each, per annum for contingencies. This is intended for stationary, postage, and other unavoidable expenditures that must necessarily occur, independently of the personal expences of the Ministers and Secretaries of Legation, which, were they not borne by Government, would absorb a large portion of their salaries, and render their situation in some instances, extremely unpleasant and mortifying, especially where Legations had not been previously established.

The rank attached to Diplomatic Agents is a subject which has occasionally produced slight disputes between friendly governments. Although a Nation has a right to determine the grade of its own Ministers, yet it has been the general usage of governments to send and receive resident Ministers of the same rank.

The commercial interest of the Republic require that some definite system should be adopted for the government of our Consular Agents. The reputation of a country, in a commercial point of view depends much upon the conduct of its Consuls, and it is therefore highly important that those functionaries should be guided by strict rules, enjoined by the Laws of the Nation which they represent.

In our case having no system, they are left in a great measure to exercise their own judgements and discretion, in the performance of their particular duties, which, if continued, must often lead to collision and difficulties that might be avoided by a well regulated System.

With respect to compensation the question arises. Should they be paid by fixed salaries or by fees? With regard to this point I would most respectfully suggest that, however desirable it might be in a different state of the Country to establish stipulated salaries, it appears to me decidedly more expedient under existing circumstances, to compensate them by fees. With this view of the subject the object to be attained is to guard against the exaction of improper and exorbitant charges by defining the extent of their duties, in prescribing the fees to be given for the execution of those duties.

In order to encourage genius and promote the cul-

of the arts and sciences, the munificence of all liberal governments has extended peculiar privileges to those whose writings, discoveries or inventions have been calculated to advance the interests of society, by granting "copy rights" and "patents." Those subjects have not hitherto engaged the attention of the Texian Congress, and it appears desirable that some regulations should be established relative thereto.

The Public Printing demands the most serious consideration of Congress. The act passed on the 12th of June last, authorizing the publication of the Laws and other Legislative documents, was unaccompanied by a corresponding appropriation. No actual funds could be actually realized, without which I found it utterly impracticable to have the work executed with that dispatch which the public interest required. Immediately after the adjournment of Congress, in June last, I applied to Messrs Conger & Moore, the proprietors of the Telegraph, proposing to contract for printing as authorized by Congress. Theirs was the only establishment of the kind at the Seat of Government: they had but one press, and that too engaged in the publication of a weekly News paper. Their materials were exhausted, and they could not undertake the work unless Government could make an advance in money, or furnish materials. They agreed to undertake it at the rate set forth in the accompanying documents, marked A, provided the materials could be furnished as before stated, and to prosecute the work as expeditiously as circumstances would permit.

Finding it impossible to procure paper in this country, I obtained a small quantity through an agent of this Government, at New Orleans, which was received here in august, when the publication of a volume of about 300 pages, comprising the declaration of Independence, the Constitution, and the enactments of the first and second sessions of the first Congress, were begun, which progressed slowly up to the opening of Congress, in September last, at which time owing to the printing of the Congressional proceedings, it was suspended. One thousand Copies of a volume containing, instead of 300 as was originally intended, about 170 pages, will be ready for delivery during the present week. And another I am assured of about the same size, (most of the work having been already done,) will be finished in a few days after the arrival of the paper, which has been recently ordered from New Orleans, by the said proprietors. No Specific contract could be entered into, owing to the uncertainty of procuring materials, the sickness of operatives in the Printing establishment at that season of the year, and many untoward causes, which it is unnecessary to enumerate. Deeply impressed with the necessity of having the Laws, under which the Constitutional Government has been organized, circulated at as early a period as possible. I adopted such an arrangement in their publication, as seemed best calculated to effect that important object. Commencing with the declaration of Independence; the Constitution and the enactments of the two first sessions of Congress; then the Ordinances and Decrees of the Consultation

and the Provisional Government and Convention at Washington; and, thirdly the Colonization Laws of Mexico and those of the Government of Coahuila and Texas, as far as they relate to the latter country, intending to defer the publication of the journals of the various legislative bodies, for the last, as they are of secondary importance only. It seems to me unfortunate that a similar plan was not at first adopted, for sufficient labour has been bestowed upon the journals to have printed long ago all the important Laws. Enquiries after enquiries, from time to time, have been made at this department, why the laws have not been distributed? shewing in many instances dissatisfaction and irritation on the subject.

Under these circumstances I would most respectfully recommend that an appropriation be immediately made of $6.000, in money that can be used in New. Orleans on the purchase of the necessary materials, even if it has to be done at a considerable sacrifice. With that amount the work can be prosecuted successfully and expeditiously to its completion. Without an adequate appropriation, the same embarrassments will again occur; results to be deprecated and avoided in future if possible.

Until a general promulgation of the Laws takes place public opinion will always be subject to erroneous impressions, resulting either from misstatements designedly made for sinister purposes or a want of authentic information.

With regard to the civil department of the Government, I have the satisfaction to state that the organization is complete, elections have taken place throughout the populated portions of the Republic, and commissions having been forwarded to all the Officers thereto.

I have the honor to be

with great consideration and respect

Your Obedient Servant

(Signed) R. A. Irion

Secretary of State

To President of Texas relative to the boundary line between Texas & U. States

To the President of the Republic of Texas.

The Secretary of State, in obedience to a resolution of the Senate, dated yesterday, requesting information with regard to the existing difficulty between this Government and that of the United States concerning the undefined boundary line between them, has the honor to lay before the President, copies of the correspondence containing the information desired.

All which is respectfully submitted.

Department of State

City of Houston April 17. 1838

(Signed) R. A. Irion

To President of Texas relative to the boundary line between Texas & U. States

To the President of the Republic of Texas.

The Secretary of State, in obedience to a resolution of the House of Representatives, dated Yesterday, requesting information concerning the boundary line between this Government and that of the U. States, has the honor to lay before the President between Texas a copy of the report containing the information desired; which was communicated to the Senate on the 17 Instant.

All which is respectfully submitted
(Signed) W. A. Rives

Department of State
City of Washington April 24th 1838.

To the President of the United States.

Sir,

I have the honor to lay before your Excellency the following report on printing and other subjects connected with the Department of State.

To the President of Debates relative to printing- translating- expenses of translating &c.

Owing to the absence until recently of necessary, existing facility a knowledge of the enactments of Congress and the different deliberative Bodies which have sat in regard, has been impracticable to those who have asked access to the records of the Department of State.

This having been the case I have urged forward the Public Printing with all the dispatch circumstances would allow; and I now have the pleasure to state, that within the next month all the printing which was ordered by Congress will be completed.

The establishment of a new Type and the completion which it induced has greatly abridged the time which would, under other circumstances, have been required to complete the publications, and has in a like ratio reduced the expenses to the Govt.

Both pieces have been employed, and the same portion computed according to the proposition of Mr. Rives made to Congress on the 10th May 1838.

This establishment claims the right under that proposition to make an extra charge for paper;— upon which subject Printers of this city, to whom the proposition was referred for investigation differ in construction.

The Telegraph has promptly executed the work given to it, and included the charge without reference to paper, considering that where a Printer professed to print a work in distinct lines without conditions that paper is of course necessary, and therefore included.

In order to settle this question, I forwarded the proposition to our Counsel at New Orleans, requesting him to submit it to capable and practical Printers, and inform me without delay, what should be considered its literal and proper bearing; whose reply I received Wednesday, (Dec. A. Seventh transmitted,) which shows conclusively that such a charge cannot be justly claimed.

With regard to the translation of the Laws of Louisiana and Texas, some difficulty and embarrassment delay occurred in the procurement of a suitable Translator who united with the requisite skill and devote his entire attention to the subject until its completion. I finally engaged Mr. . . . . Kimball, who has laboured diligently during the last seven months in translating them, which he has completed, and is now employed in copying their publication. The work will be an octavo volume printed uniformly

& English, comprising about 300 pages, and will issue from the press during the present month.

The following statement shows the expense which has been incurred in Printing since my last report on this subject.

The acts of the last Session, and the Journals of the several Sessions have all been printed and distributed to the various civil Officers of the Republic, with the exception of the Journals of the House of Representatives of the called and regular Sessions of 1837. and the Journals of the Senate of the Spring Session of 1838. which are now in press and will be ready for distribution in the course of about 3 weeks.

The Ordinances and Decrees of the Convention, Provisional Government, have also been printed and distributed, the Journals of the same, are now in preparation for the press and will shortly be in readiness.

The Laws of Coahuila and Texas have been translated and which progress is making in publication — which comprises all the pre. Congress ing indeed to be executed.

An account of bills Audited for printing Laws and Journals since last report to Congress.

2.000 Copies, Laws of Sixteenth Spring Session of 1839. containing 62 pages, stitching, folding, and extra charge of $175. — paper included —	$999.50
500 Copies, Journals of the Senate, 114 pages.	342.00
folding and stitching the same —	75.
2.000 Copies Ordinances and Decrees of the Convention, Convention and Provisional Government, 156 pages —	1.775.
folding and stitching the same	275.
500 Copies, Journals, House of Representatives 2nd Session first Congress — 19 sheets.	570.
folding and stitching the same. —	187.50
500 Copies Journals of the Senate. — 7 sheets.	210.
folding and stitching the same.	93.75
500 Copies, Journals of the House of Representatives 1st Congress, first Session.	1.140.
folding and stitching the same	187.50
500 Copies, Journals of the House of Representatives 23 sheets.	690.
folding and stitching the same.	125.
	$6.868.25

(Copies of Publications)

$ 2.000 paid to Planter office

$ 2.000 " " Telegraph "

$ 2.000 " Standard —

The publications in the above statements have been, and are now being, executed with as little delay as possible to the civil officers of the Government.

It would be here appropriate to suggest, as I had the honor to do in a former report, the propriety of an enactment of Congress establishing a System of "Patents and Copy Rights."

All Civilized Governments have made some provision granting

certain privileges to individuals whose writings, inventions or discoveries have tended to promote useful knowledge. — Frequent applications have been made to the Department for privileges of this kind; but there being no law on the subject, nothing could be done relative thereto.

The contingent expenses of our legations still remain unprovided for; and it would seem just that some allowances should be authorized by law enabling our Diplomatic Agents to buy the necessary books, papers, pay postages &c. without being compelled as they are now, to defray such expenses from their private expenses. Their salaries are less than those of any other Government.

The annual contingent allowances of the Legations of the U. States, vary from five Hundred to two thousand dollars.

I have the honor to be with Great respect & consideration Your Obedient Servant.

A. A. Biser
Sec. of State

Department of State
City of Houston Jan. 5th 1838.

To the President of the Republic of Texas.

Sir

relative to the Laws on file & not published

In accordance with a Resolution of the House of Representatives of the 12th instant, requesting the Secretary of State, "to communicate what laws now on file in his office not published," I have the honor to state that all the laws of Congress on file in the office referred to, have been published.

Owing to the hasty dispatch of business at the adjournment of several sessions of Congress, and the irregular arrangements which has heretofore existed respecting the duties of the clerks of [the] two houses, it has occasionally happened, that bills, after having been passed, were not enrolled, and consequently did not become laws: And in some instances, from the same cause, the Journals of Congress are incomplete, notwithstanding the exertions of those interested with their publication to render them so.

It appears by reference to the last Journals of the last session of Congress, that an act for the "protection of the frontier" was vetoed by the President, and finally passed by a Constitutional Majority of that body, which does not appear in the Publication of the Laws, & which, I presume, in as much as the clerk inadvertently omitted to report it, in the proper Office, & at the proper time, will be found among the papers of the House in which it was last acted upon.

Within a few days previously and subsequently to the adjournment of the session last referred to, sundry acts and resolutions were presented to the Executive for approval, some of which not having received his sanction are on file in the Department, but are not published for the reason that they are not laws.

I have the honor to be with great respect and consideration Your Obt. Servant.

A. A. Biser

Department of State, City of Houston Jan. 14th 1838.

To the President of the Republic of Texas.

Sir,

To the President of Texas — In compliance with a resolution of the House of Representatives of the 13th instant, requesting the Secretary of State, to inform the House what progress has been made in the translation of the Laws of this Republic into the castilian language, provided for by joint Resolution of the 15th Decr 1837, I have the honor to state, that the gentleman engaged to translate the aforesaid Laws, the Laws of the Republic — has been unremittingly employed in translating the Laws of the Republic of Texas, but now they are completed, and he will immediately commence the transcription of the Laws above referred to.

I have also the honor to transmit to your Excellency a list of the Laws contemplated to be published by authority of the said resolution, which have been compiled by Judge Whitcall from the Statutes of the Republic, with the view that Congress may direct any change in the arrangement that they may deem expedient.

Inasmuch as the resolution is subject to different interpretations with respect to the actual sum appropriated, I would respectfully suggest the propriety of amending it, so as to designate explicitly the whole amount intended to be expended in this publication.

I have the honor to be with great respect and consideration
Your obt Servant.

H. A. Brion

Department of State.
City of Houston, Nov. 14th 1838.

To the President of the Republic of Texas,

Sir,

To the President of Texas relative to documents on file relating to Indian affairs — In compliance with a resolution of the Senate of the 6th instant, I have the honor to transmit herewith to your Excellency, copies of the various documents, (marked 1 to 6) on file in the Archives of the Department relating to Indian Affairs.

Pedro Julian Miracle, the author it seems, of the journal marked 6, was killed about the 20th August last, by a citizen of that Country, at the mouth of the Canay on Red River, in whose house the original in Spanish was found, and forwarded to this Department, which was written in pencil and so much defaced that the translator, Mr Newlands and Major Farnsley had considerable difficulty in deciphering it so as to furnish this translation.

All which is respectfully submitted.

H. A. Brion

Department of State
City of Houston, Nov. 14th 1838.

To the President of the Republic of Texas,

The Secretary of State to whom was referred a resolution of the Senate, dated 29th ultimo, requesting the President to communicate information relative to the foreign relations of Texas, that the Senate be furnished with copies of correspondence which has taken place between the

Relative to the foreign relations of Texas

Department of State and the Diplomatic agents of the Republic, not heretofore communicated to Congress, and which will it is hoped present to that honorable body a satisfactory view of the present attitude of this Government with respect to foreign Powers.

The convention of indemnity to American citizens on account of the Capture of the Pocket, and the Impressment of the Durango, the Treaty of limits recently entered into between Texas and the United States; the Commercial arrangement with Great Britain, and the arrangement entered into between this Government, and that of the United States, declaring the Treaty of Amity, navigation and Commerce, existing between the latter and Mexico, binding on Texas and the said United States, having been promulgated by proclamations of the Executive, it is deemed unnecessary to embrace them in this report, as well as a portion of the Correspondence touching these subjects

M. A. Rains

Department of State
City of Houston Dec 8th 1838

To
Chief
Justices
of Counties

Department of State
Houston Feby 6th 1839

Sir,

We have this day left at the Post Office to be forwarded by Mail, three sealed packages containing Journals, directed to the Chief Justice of the County of Nacogdoches, and you will in due time acquaint the Department if the same have been received.

Would also refer you to a circular to Chief Justices dated 15th January 1839 (in several Numbers of the Telegraph and also of the Intelligencer) in case you have not already complied with the request therein contained.

Hon. Chief Justice
County of Nacogdoches
& all other Counties in the Republic

Respectfully
Nathe Amory
Chief Clerk

To
Wm. F. Bryan
Consul
U. S. A.

Department of State
Houston Feby 12th 1839.

Sir,

I transmit the 1st 2nd and 3rd volumes of the laws of this Republic, together with a list of such laws (therein Contained) as are required to be published in the Castillian language.

From the laws of the late Congress, (when printed) selections will be made and forwarded to you to be added to the others, the whole to form one Volume.

I hereby authorize you to contract with some competent person, on as favorable terms as possible to translate and superintend the printing of said laws, faithfully, correctly and promptly, and in the selection of such an individual, would advise you to confer with Mr Lucas or Reynolds, who may be found at Mr Rives' office

One thousand Copies bound in boards, will be sufficient, to be forwarded to this Department.

This letter not dated

A Draft or drafts for the amount of the Translators and Printers, on my functionation for the same when completed will be paid

Wm Bryan Esqr. Consul
for Texas New. Orleans

Yrs.
James Webb
Sec. State.

No-
D.C. Watrous-
Atty Genl
Relative to
Translating
Certain Laws
into Castilian
Language &c

Department of State
12 Feby 1839.

Sir,

By an act of Congress approved 23rd January 1839, entitled "An Act to translate the laws of the Republic into the Castilian Language and promulgate the same," it is made the duty of the Secretary of State to contract with some person properly qualified for the translation and "compilation of such general and penal enactments as have been made by "the former and present Congress" for distribution in the counties where that portion of the population speaking the Spanish language resides.

I must therefore trouble you to make such selections from the Statutes of the County as are contemplated by the act of Congress to be translated and published as aforesaid.

I send you herewith a list made out by Judge Rowall which may save you the trouble in making the proper selections.

I have the Honor to be
very Respectfully
Your Obt Servt
James. Webb

The Honbl
D. C. Watrous
Atty Genl

No-
T.L. Hamilton-
Relative to
Renewal of-
Consul Bond-

Department of State
Houston 12. Feby 1839.

T. Lynch Hamilton Esqr

Sir,

The regulations of this Department (a copy of which in the form of Consular instructions is furnished you) require two sureties to Consular bonds, when the principals are not citizens of the Republic of Texas, to be residents of the Republic, — Your bond does not conform to the regulation in this Respect, and is therefore returned to you to be executed.

I am authorized by the Hon. Peter Grand E. Bee, who will hand you this, to say that he will sign a new bond with you, & when executed & returned to this Department with his name as your security, it will be approved

Very Respectfully
Your Obdt Servt
James Webb-

No-
Wm Bryan
Relative to

Department of State
Houston July 23rd 1839

Sir

Will you be so good as to procure and forward to this Department, the following articles, and your order for the same will be promptly complied with. 100 Sheets of Parchment, 1 Gross of Red tape, 50 pieces of narrow ribbon Red, same articles for Green, Blue and Yellow, one Ream fine deep coloured Paper same colour.

Gov't

One Spanish Dictionary Large and best edition, Spanish Grammar and Vocabulary.

Wm. Bryan Esqr.
Consul for the U.S. of A.
N. Orleans.

(Signed) D. G. Dl.
Secy of State

P.S. Please obtain a map of Mexico folded in Cover.

To-
Sec. of
Treasury
relative to the
Collection
of Customs=
&c.

Department of State
Houston 1st March 1839

Sir,

I am desirous of knowing what instructions (if any) have been given by the Treasury Department to the Collectors of the Customs for the different Ports in the Republic, respecting the collection of Tonnage duties on American Vessels in those Ports.

You will also please inform me whether or not any order has been issued to the Collectors of those ports directing a restitution of the Tonnage duties heretofore collected on American Vessels contrary to the provisions of the Treaty of Amity, Navigation and Commerce between the United States and Mexico, & which is recognized as binding on this Republic.

I have the honor to be
With great respect
Your obdt Servt
James Webb

The Hon.
W. G. Dunlap
Secy of the Treasury

To-
R. B. Johnson
relative to the
resignation of-
D. K. Beaumont
Asso. Justice=

Department of State
Houston March 7. 1839.

Sir,

In reply to yours of the 4th Inst. requesting to know whether the resignation of Jacob K. Beaumont Asso. Justice of the county of Galveston has been accepted = I am directed by the Secretary of State to inform you, that it has been received and is accepted, and also that resignations of Justices of the Peace should be made to the chief Justice of the County, and the vacancy be by him filled without recourse to this Department. —

Respectfully
Yours
N. Amory C. Clerk

Hon R. B. Johnson
& Justice C. of Galveston.

To-
R. E. Lee
Agent and
Minister
Plenipo.y
to the Govt
of Mexico-

Department of State
Houston March 7th 1839.

Hon. R. E. Lee,
Agent and Minister Plenipotentiary,
to the Government of Mexico.

Sir,

I herewith enclose the following documents relative to your Mission to Mexico, Letter of credence as agent to the Government of Mexico, dated 20th Feby instant.
Nomination as agent to the Govt of Mexico, of 20 Feby 1839.

Commission as Minister to the Govt of Mexico of Feby 20th/39.
Instructions as Agent and Minister to Mexico of Feby 20th/39.
Copy of a translation of a Letter of Antonio Lopez de Santa Anna to President Andrew Jackson, dated Columbia July 4th/36
Copy of a secret treaty between the Govt of Texas and Santa Anna Velasco, May 14th/36. in English and Spanish.
Copy of a Public agreement between David G Burnet, President of the Republic of Texas, and Santa Anna, in Spanish and English, dated May 14th/36.
Translation of General Santa Anna's official letter to President Burnet of Oct. 12th/36. and his memorial to Congress, and accompanying documents,
Copy of an act approved Dec. 19th/36. to define the boundaries of the Republic of Texas, and also a Cypher.

These, it is believed, are all the documents which will be required on your Mission at present, should others be deemed necessary hereafter, they will be carefully forwarded to you.

With great respect
Your Obt. Servant.
James Webb

To-
Wm. Wadham Chf Jus. Colorado Co.
Commission
forwd 2

Department of State
Houston March 8th 1839.

Sir,

I Transmit herewith your Commission as Chief Justice of the County of Colorado.

Also Commissions for Sheriff, District and County Clerks, Coroner, and two Justices of the Peace.

These you will deliver, or send to the individuals for whom they are intended, previously observing to administer the oath and take the bond of such as are required to be thus qualified.

You should inform this Department in whose place the two Justices, now commissioned, were elected, as the law considers the old incumbent acting until his successor is qualified, and there are more than two Justices of Peace on our list.

The law requires that on the 4th February '39 the civil officers should be reelected; Why were only two Justices of Peace elected? And who are the other Justices now acting, what their seat, or precinct?

Respectfully
Your Obt. Servant
James Webb.

Hon Millard Wadham
Chief Justice, County of Colorado

To
Chf Justice
Jackson Co.
Commissions
Forwd 2

Department of State
Houston March 8th 1839.

Sir,

I herewith transmit your commissions for Sheriff and four Justices of the Peace for the County of Jackson which you will deliver, or send the individuals for whom they are intended observing To administer to the Sheriff, the requisite oath and take

his bond forthwith.

You do not mention the precincts of the Justices of Peace. Nor do you return the civil officers of the County. All which should be done.

Respectfully yours

Hon.
Patrick Usher.
Chief Justice of Jackson County.

To.
W. P. Scott Esq (Dup 1)
Brazoria Co—
Commissions
transmitted

Department of State
Austin March 8th 1839

Sir

I herewith transmit to you commissions for Thos Blackwell, Edward Purcell, Robert S Calder, Joseph Levy, David Holt, W D Stacy, Wm E Neill, Wm D Williamson, Wm Ryon, A H Walcott, I Mc Cloud, & Francis Kingsland, as District and County Clerks, Sheriff- Coroner and Justices of the Peace for the County of Brazoria, which you will please deliver to them.

The commissions of the Clerks, Sheriff and Coroner, will not be delivered until they shall have given bond and security, and taken the oath of Office required by law

I have the Honor to be
Very respectfully
Yr Obt Servt

Hon. W. P. Scott
Chief Justice
County of Brazoria,

To.
Ch Justice
Brazoria Co—
relative
report of
Election of
Field
Officers

Department of State
Austin March 9th 1839

To The Chief Justice of
Brazoria County
Sir,

The report Made by you to this Department of the Election of the field Officers "of the first Regiment, first Brigade, west of the Brazos," was not required either by the Law or the Presidents proclamation.

By adverting to the Proclamation, a copy of which is herewith furnished you, you will perceive that all reports of this description are to be made to the Secretary of War.

Very Respectfully
Your Obt Servt
James Webb

To-
C. Aldrich Esq (Dup 1)
Houston Co
respecting
original
Titles
record

Department of State
Houston March 9th 1839

Sir

I this day delivered to Gen W Hamblett, directed to you, Ten copies of an abstract of the Originals Titles of record of the General Land Office. which you will please distribute to the civil officers of your County & forward a duplicate and of the receipts. —

Hon Colin Aldrich
Chief Justice of
Houston County

Very Respectfully
Your Obt Servt

To-
Chf Justice
Robertson Co-
Copies of the
original Title
of Record
Transmitted.

Department of State
Houston March 9th 1839

Sir

I send you by Mr & Mc Hill, 10 Copies of an abstract of the original Titles of Record in the General Lands Office, you will please inform this Department of their receipt & distribute the same among the civil officers of your county

Respectfully Yours
W Armstrong
C. Clerk

Hon: Francis Slaughter
Chief Justice County of
Robertson.

To-
Chf Justice
Liberty Co-
Commissions
Forwd 2

Department of State
Houston March 9th 1839

Sir,

I herewith transmit to you Commissions for W Mc Harding, Silas Smith, Alex S Roberts, James Knight, M L Choate, William Newell, William Butler, Reason Green and William Wallace — Sheriff and Justices of the Peace for the county of Liberty.— The commission of Sheriff will not be delivered until he has given bond and security, and taken the oath of office required by Law.

You state that the present Civil officers, are without the laws— they have been forwarded, and you will please require the former incumbents to hand over to the newly elected officers, all the laws which have been sent by this Department, after which on your making known any deficiency it shall be supplied

I have the honor to be
Very Respectfully
Your obt Servt

Hon: D. P. Lott
Chief Justice of
Liberty County.

To
Chf Justice
Houston Co-
Election
Returns=
re-election
ordered—

Department of State
Houston march 15th 1839

Sir

Your letter without date giving information of an election, held 4th February 1839 for civil officers of Houston County, has been received.

Wherein you say that on that date, Martin A. Walker was elected Sheriff G M. Browning, C. T. McKenzie & Wm Harrison Justices of the Peace.

That W. S. Saddler elected in September last. has not been commissioned, and that the other acting justices have all been commissioned.

The intention of the law is that on the first monday in February every two years, an entire new election should be held for Sheriff, Coroner, all the justices of peace, and Constable, for the County, but it appears from your return that the election was only to supply a few vacancies which had previously occured, instead of an entire new election, Therefore it is hoped that immediate steps will be taken to rectify the error, and on advise to that effect, commission for all the civil officers refered to will be forwarded

Respectfully
Your obt Servt
A Armory Chief Clk

Hon Colin Aldrich
Chief Justice Houston County

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To.
A. N. Seguin.
Relative to
publishing the
laws in
Spanish.

Houston March 16th 1839

Col Juan N. Seguin

Sir

In compliance with my promise, made at the adjournment of last Congress, to keep you informed of the progress made in publishing the laws in Spanish, I have to state that we have waited for laws of last Session to be printed, that the Attorney General might select those contemplated in the act in order to send the whole to New Orleans to be translated and published with the utmost dispatch, a course which our present Secretary of State Judge Webb considers the best.

The delay in printing was unexpected had it been anticipated those of former Session would have been forwarded long since, to have enabled the Contractor to have made a commencement.

On the Attorney Generals return from Galveston tomorrow the Selection will be completed and all be forwarded by next packet.

and accept my assurance, of esteem

N. Amory C. Clerk
Depart of State.

To.
Wm. A. Bryan.
Relative to the
Settlement of
the Insurers
claim of the
Brig Pocket.

Department of State
Houston 15th March 1839

Sir

In reply to your letter of the 28th Ult: enquiring "if any diplomatic arrangement has been made with the United States in regard to the Settlement of the claims made by the Insurers of the brig Pocket, or if any claims have been made upon the Government of Texas for the value of her Cargo," I have to say, that there is no evidence in this department of any such arrangement having been made, or that any claim has been presented to this Government for the value of the cargo of that vessel.

The treaty of indemnity of April 14th 1838 appears to have been agreed upon in personal conferences, between the then Secretary of State of this Republic, and the Chargé d'affairs of the United States, and as the preliminaries were not reduced to writing, I have no other evidence of the claims intended to be covered by it, than is afforded by the Treaty itself, a copy of which I presume you have, as I understood it was proclaimed in the month of November last by President Houston, and published in the newspapers of the day, It is proper to add however. that since the receipt of your letter, I have in a private conversation with Mr LaBranche, understood that the claim set up by the Insurers of the Cargo of the Pocket, and for which a Suit has been instituted in New Orleans, was not embraced in the Treaty.

I am not aware of any information in the possession of this Department, other than what you have already received, which could be available to you, on the trial of that Suit, if, however, there be any matter connected with it,

a bout which you desire to be Specially informed, you will please to designate it, and it will receive immediate attention

I have the honor to be
your obt. Svt.
James Webb.

William Bryan Esqr
Texian Consul New Orleans.

To
Ch. Justice
Washington Co.
Commissioned
forw.d 12.

Department of State
Houston March 18th 1839

Sir

Herewith you will find commissions for Robt Stephenson Sheriff, Isaac B Robertson Coroner, Sims Bond, D H Wilkinson and to be Stationed Justices of Peace for your County elected 4th Feby /39. and duly qualified according to your Communication of 7th inst this day received —

The intention of the Law is that on the first Monday of February every two Years, all the Justices, Constables, the Coroner and Sheriffs should be elected anew, and as the election here referred to was partial you will with as little delay as possible rectify the error by causing an election to be held to supply the deficiency, and this Department when informed of the result will send you the commissions.

Respectfully Yours
N Amory C. Clerk

Hon: John P Coles
not Sent Chief Justice of the County
of Washington,

To
D. H. Kirchhoffer
Commissioned
Ch. Justice
Houston Co.

Department of State
Houston march 20th 39

Sir

I transmit you herewith a commission as Chief Justice of Houston County together with copies of letters from and to Colin Aldrich Esq of a recent date, who is still acting as Chief Justice of the County in consequence of P.O. Lumpkin (who was appointed in Janry. last refusing to serve — Should Mr Aldrich not have caused the election for County Officers, to be held according to law, you will please take the necessary Steps.

You will if you accept the appointment receive from Mr Aldrich any books he may have received, from this department which are still in his possession. —

By order of the Secretary of State
N Amory Chief Clerk

Hon,
John H. Kirchoffer
Chief Justice Houston County

P.S. Should you not accept please recommend some person who will serve, and get others to join you in the recommendation

Yrs N. C.

To
D. Hamilton
&
A. T. Burnley

Whereas by an act of the Congress of the Republic of Texas approved May 16th 1838, entitled an act to authorize the President to negotiate a Loan on the bonds of the Government not exceeding "five millions of dollars" it is provided, that the President for the purpose of effecting said Loan, be and

I am com^d to be authorized to issue bonds in the name of the Republic for such sums as may suit the U. States or the purchasers thereof, to an amount not exceeding in the whole five millions of dollars, which bonds the President, may authorize the commissioners of the loan, to be appointed in and by Virtue of said act, to Sign and deliver in any language required, after being duly Countersigned by the minister, or other diplomatic agent of Texas, resident at Washington, London, or Paris,

And whereas by an act of the said Congress of the Republic, approved January 20th 1839, entitled "an act supplementary to an act entitled an act to authorize the President to negotiate a loan upon the bonds of the Government, not exceeding five millions of dollars." it is provided that the President of this Republic be authorized by his letters patent, to empower the commissioners appointed to negotiate said loan, under the authority of the aforesaid act of Congress approved 16th may 1838" to affix the seal of the Republic to any bond or bonds or certificates of stock they may issue, sell or negotiate by virtue or under the authority of said act."

And whereas James Hamilton and A. J. Burnley Esquires have been duly appointed and commissioned, under and by Virtue of said acts of Congress, as the commissioners on the part of the said Republic of Texas, to negotiate said loan.

Now therefore be it Known, that I Mirabeau B. Lamar President of the said Republic of Texas, do in the name and by the authority of the said Republic, and in virtue of the powers vested in me by the aforesaid acts of Congress, authorize and empower the said James Hamilton and A. J. Burnley Esquires, to issue and to Sign my name, as the President of said Republic, to any bond or bonds which may be issued by them under and by Virtue of said acts of Congress not to exceed in the whole, the aforesaid sum of five millions of dollars, and to affix the seal of said Republic to any and all of said bonds issued as aforesaid, and I hereby declare that the said acts of the said James Hamilton and A. J. Burnley Esquires, in signing and sealing said bonds, shall in law and Equity as if the same had been done and performed by me in person as President of said Republic.

In testimony whereof I have caused these letters to be made patent by affixing the great seal of the Republic thereto at the City of Houston in said Republic, this 26th day of March in the year of our Lord One thousand eight hundred and thirty nine & of the Independence of Texas the fourth

Mirabeau B Lamar

By the President
Dr Webb
Secretary of State

Department of State
Houston mar: 26th 1839

Sir

The packages deposited in your office for the Chief Justices of the different Counties this day, you will please

To
Dist Marsh
relative to
Comm'ds
Packages

have forwarded in such quantities by each mail, as practicable to ensure their safe transmission.

Respectfully
Yours &c.
A Amory C. Clerk

Post Master
Houston

"To-
Chf-Justices
Copies of an
"abstract of
original Titles
of Record"
transmitted

Department of State
Houston, March 26th 1839.

Sir,

We have this day deposited in the Post Office ——— packages, containing, each, two copies of an "Abstract of Original Titles of Record," directed to you for distribution to the Civil officers of your County.

You will, in due time, acknowledge the receipt of the same, or if not received inform us.

Very Respectfully
A. Amory, Chief Clerk.

Hon: Chief Justice
of ——— County.

A copy of the above was sent to each Chief Justice in the Republic, except Harrisburg, with a slight variation, in a few instances, where the packages were sent by private conveyance, which, together with the number of packages for each County, may be seen by reference to the "Register of Pamphlets," Page 149. =

To-
Chf-Justice
Bexar Co-
Commissions
transmitted
&c-

Department of State
Houston March 29th 39

Sir

I herewith transmit to you Commissions for Manuel Perez Clerk District Court, John W. Smith Clerk County Court, Joseph L. Hood Sheriff, William E. Howth Coroner. George M. Dobson, Horatio A. Aldrey. Miguel Arceneiga & Jesus Carter Justices of the peace for the County of Bexar. which you will please to deliver to them.

The commissions of the Clerks, Sheriff and Coroner will not be delivered, Unless or until they shall have given bond and security, and taken the Oaths of Office required by law.

I have the honor to be
Very respectfully Your obt. Servt.
A Amory C. Clerk
by order of Sec of State

Hon Erasmo. Seguin
Chief Justice of the
County of Bexar.

To-
President
Topographical
Society
relative to
public printing
&c &c &c

Department of State
Houston March 30th 1839

Sir

I am informed that there will be a meeting of the Society over which you preside on monday evening next. And as I am anxious to establish some System by which the public pr-

of the Government may hereafter be regulated, I will take it as a favor if you will submit the following queries to the Society, & furnish me with the answers as soon as your convenience will permit.

1st what is a fair charge for printing the laws in a newspaper where the same printer is employed and paid to print the same laws in pamphlet form?
2nd what should be the difference in price, in (printing) Spanish and English?
3rd What is a fair charge per form of eight pages, of ordinary printing, for the first 250 copies, supposing that there would be from 1500 to 2000 additional copies of the same work to be printed at half the price?
4th In printing proclamations in hand bill form, and also in the News-paper, what should be the charge, for the newspaper publication per Square?
5th In hand bill publications is it proper to charge by the Square? & if so how many ms constitute a Square, and what is the price?
6th If hand bill work be not estimated by the Square, how is it estimated? and what is a fair price for it?—
7th How do you estimate, ruled, lined, and figure-work, and what is the price for such work?

N. Amory Esqr will attend your meeting and will make any explanations which may be necessary on the subject of the foregoing enquiries?

With much respect
Your obt Servt
James Webb
Houston Mar 30th 1839

Address to Wm Bryan Consul at N Orleans
For 1 Box Stephens Fluid.

Department of State
Houston 30th March 1839

For Chf Justice Galveston Co. Commissions transmitted

Sir

I herewith transmit Commissions for James McKnight and Milton Gates, as Justices of the peace, and Benjamin F. Woodruff as Coroner of Galveston County which you will please deliver to them.

The Commission for Coroner you will retain until he shall have given bond and Security and taken the Oath according to law. You are aware, I presume, that the law requires the Sheriff to be elected first monday Feby 1839— has this been done if not an election should be ordered.

Very Respectfully
Your obt Servt
N. Amory Chief Clerk

Hon R. D. Johnson
Chief Justice County
of Galveston

To
Chf Justice
Jasper Co
Commissions
Transmitted

Department of State.
Houston, April 5th 1839.

Sir,

I herewith transmit to your commissions for James Hargrett, Sheriff, Henry Gregrey, Coroner, William Ayers, N. H. Connell, Sam'l G. Waters, William Seabolt, Richard Simmons, William Chadwick, W. H. Cochran and William H. Clark, Justices of the Peace for the County of Jasper, which you will please deliver to them.

The Commissions for Sheriff and Coroner will not be delivered until they shall have given bonds and security and taken the oath of office required by Law.

I have the honor to be
Very Respectfully
Your Obedient Servant
W. Conroy Chief Clerk.

Hon. Joseph Motley
John Reid Chief Justice
Jasper County.

To
Chf Justice
Galiad Co
Commissions
Transmitted

Department of State.
Houston, April 5th 1839.

Sir

I herewith transmit to your commissions for William Rowland, Sheriff, Joseph Hopkins County Clerk, William Thompson and Encarnacion Vasquez, Justices of the Peace for the county of Galiad which you will please deliver to them.

The Commissions of the Clerk and Sheriff will not be delivered until they shall have given bond and security and taken the oath of office required by Law.

I have the honor to be
Very respectfully
Your Obt. Servant
P. Conroy Ch. Clerk

Hon. Wm. J. Hamblen
Chief Justice
County of Galiad

To
Wm H Bryant
articles
ordered

Department of State
Houston April 5th 1839.

Sir.

You will please procure the articles mentioned in the enclosed memorandum, and forward them by returns of Packets directed to the Secretary of State Houston.)

And I would request the favor of your personal attention to this order, that said articles may be of the very best qualities and at as fair prices,

The draft for the amount will be paid.
Very respectfully
Your Obt Servant
Lorenzo Wolfe

Hon. Judge King
Counsel for Texas, Mr. Bland.

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Requisition for Articles for Department of State.

1 Ream blotting paper,
10 " Folio post ruled edges trimmed
10 " Hudson's smooth pocket post, letter, extra fine
5 " Enveloping paper,
10,000, Very best quality swan quills
20 lbs English sealing wax,
1 doz. Desk knives, best quality
1 gross Red Tape,
1 Spanish grammar latest edition
2 doz. Ball superior twine double the size of sample sent.
All the above articles to be of the very best quality

N. Amory
C. Clk. Dept. of State,

City of Houston,
April 5th 1839.

To-
Chf Justice
Sabine Co-
Commission
as Chf Justice
forwd 12

Department of State
Houston April 5th 1839

Hon William P Wyche
Chief Justice County of Sabine

Sir

We are just in receipt of a paper dated 25th March Ult. Signed by several Citizens of your County recommending the appointment of Yourself as Chief Justice

Your Commission as such dated 11th Feby. last was forwarded to you by mail soon after that date, which I hope ere this has been received, if not however another shall be forwarded on advice from you, that it did not come to hand.

Respectfully
Your obt Svt
Natle Amory C. Clerk.

To-
Chf Justice
Sabine Co.
Commission
forwd 12

Department of State
Houston Apl 10th 1839

Sir.

Since writing you by mail yesterday, an opportunity has offered to forward a Commission by private conveyance, which I now do, thinking you may still not have received that sent you in Feby Last.

Hon William P. Wyche
Chief Justice County of Sabine

Per order.

Very respectfully
Your obt Svt
Natle Amory C Clerk.

To-
Ch-Justice
Liberty Co-
Commissions
transmitted-

Department of State
Houston April 12th 1839

Sir

Herewith I transmit you commissions for Mark Malton & Theadore Dorset Justices of Peace for your County, according to your return of 9th inst.

Also have deposited in the Post office at this place for you 6 vols. of each of 1st 2nd & 3rd Vols of Laws and 6 Vols of ordinances and Decrees
The Laws of last Session will be sent you next week. You will please make the proper distribution of the same.

Very Respectfully
I have the honor to be
Yr Most obt. Servt
A Amory C. Clerk.

How D. P. Coit
Chief Justice County of Liberty

To-
Geo. Sterill
Relative to
Location Seat
of Govt-
Draft enclosed-
do

Department of State
Houston Apl. 18th 1839.

Sir,

At the request of the Commissioners who selected the Site, for the new seat of Government. I have the pleasure to enclose a certified Copy of their draft Countersigned by the President, which Draft is now in this Department.

Respectfully Yrs &c
Per order of the Sec of State
A. Amory Chief Clerk.

George Sterill Esqr.

A true copy of the foregoing letter above sent to the following persons viz:
James. F. Perry & Logan Vanderveer. Messrs. Aaron Burleson & Geo. D Hancock. Mess Edward Burleson & J. Porter Brown, Jame Rogers Jacob. Herrale, Edward Burleson

Houston April 13th 1839.

The Treasurer of the Republic of Texas will pay to such person or persons, as may prove to have been the owner, or owners, of the herein after discribed property at the time the same was selected by the Commissioners, appointed to select a Site for the Seat of Government, being Five thirds of leagues and Two labors of land Situated on the East bank of the Colorado river, at and adjoining a point, Known as the Town of Waterloo, and being the amount adjudged by Six jurors, as follows

"For 1/3d of a league of land No 1 claimed by George Sterill & also by James. F. Perry admnis: of the Estate of Stephen. F. Austin 1476 acres @ 350/100 $166.00

"For 1/3d of a league of land No 2 claimed by Logan Vanderveer, also by said Perry 1476 acres @ 3.50/100

But in case said Vanderveer should prove owner of the last named thirds, then the Treasurer will pay him only $4428.00. amount of Consideration named in his relinquishment on file in the department of State. 5166

"For 1/3d of a league of land No 3 claimed by Aaron Burleson & Geo. D. Hancock 1476 acres @ 3.50/100, and also claimed by said Perry.

But in case said Burleson & Hancock should prove to be the owners of this last named third, then the Treasurer will pay them only $4280.40 5166

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Connecticut of Consideration claimed in their relinquishment on file in the Department of State.

For 1/3d of a League of land now claimed by Edward Burleson
assd J. Porter Brown, also claimed by said Perry as aor. 1476 acres @ 3ce 4428.00
For 1/3d of a League of land claimed by James Rogers, also claimed
by said Perry as assr. 1476 acres @ 3ce 4428.00
For 1 labor now claimed by Jacob Harrell, also claimed by said
Perry as adms. ——— 177 acres @ 3ce ——— ——— ——— 531.00
For 1 labor now ——— claimed by Edward Burleson, also by said Perry
as administrator 177 acres @ 3cts ——— 531 00
$35 416 00

Alexander B. Lamar

A. C. Horton
J. M. Burton
William Menifee
Isaac Campbell
Louis P. Cooke

I the undersigned, Secretary of State of the Republic of Texas, do hereby certify that the foregoing is a true copy of the original draft in the Department of State,

Given under my hand and seal of office at Houston, this fourteenth day of April, A.D. One thousand Eight hundred and thirty nine

James Webb

To.
J. Grimes

Houston April 18th 1839

Dear Sir

Relative to his appointment

I am desired by the Secretary of State, (Judge Webb) to inform you, that some time since he addressed you a communication, tendering the appointment of 2 Auditor, which he thinks may have miscarried, and to say that the President entertaining a high opinion of your worth, and abilities, would be very glad to secure your services as an officer of the Government, and desires you will visit Houston, when perhaps (in the event of the office proposed not proving acceptable) it may be in his power to offer some other, which would be satisfactory.

Requesting your kind offices for the bearer of this Co. A. Horton

I am Very respectfully
your friend & Humb Servant
A. Armory C. C. S.D.

Jesse Grimes Esqr
Montgomery County

To-
Chf Justice
Matagorda Co
Commissions
forwd

Department of State
Houston April 19th 1839

Sir

Herewith you will receive Commissions for James Horton Clerk of District Court, Thomas M. Daniels Clerk of County Court Isaac Vandorn Sheriff, &c, with 6 Moby Coroners. N. L. Cook G. R. Jaques, E. R. Nightingale, Thomas J. Green, John Sheriff; William G. McKinstry, William Hurley Justices Peace.

We have deposited in the Post

office this day 10 copies of each 1st 2 & 3d vol of laws and 10 of ordinances and Decrees.

Hon Silas Dinsmore
Chief Justice Matagorda

Very Respectfully
Yours &c
A. Amory C. Clerk

To
C. Justice
Washton Co-
Commission
forwd to

Department of State
Houston April 19th 1839

Sir.

Herewith you will receive a Commission for Joseph H. Wood, as Justice of the Peace for your County

Respectfully
Yours &c
A. Amory C. Clerk

Hon Danl. J. Toler
C. Justice Washington County

To.
W. Roberts
relative to
Box Stationary

Department of State
Houston April 20th 1839.

Sir.

A Box containing Stationary was shipped by William Bryan Consul, per Steam Packett. N. York 15th April directed "Department of State Houston Texas" which not having come to hand, I am directed by the Secy. of State to request the favor of you to forward the same, so soon as it can be found.

Very Respectfully
Yr. obt Servt.
A. Amory C. Clerk.

Willis Roberts Esqr
Collector Galveston.

To-
C. Justices
laws
forwd

Department of State
Houston April 16th 1839.

Sir

We this day deposited in the Post Office, directed to you for distribution, two packages containing each Six copies of the Laws of third Congress.

You will, in due time, notify this Department whether, or not, they are received.

Very Respectfully
A. Amory C. Clerk.

Hon Chief Justice
of Robertson County.

A copy of the above was sent to each Chief Justice of the Republic with the exception of Robertson County. See Register of Parish Letters page 76

To-
C. Justice
Harrisburg Co
relative to
W.M. Bronaugh's
Election as
Peace-

Department of State
Houston April 26th 1839

Sir,

I am directed by the Secretary of State to inclose you the oath of Wm M. Bronaugh as Justice of Peace, before Election at this Place, and to say that the same is Satisfactory, and to desire you will make the returns of said Bronaugh's election to this Department without delay

Very Respectfully Your Obt
A. Amory C. C.

Hon A. Briscoe C. Justice
Harrisburg County.

08.

To
H. Hunter, Clk Am:
Robertson county
Relative to
his signature

Department of State,
Houston April 24th 1839

Sir,

The Secretary of State desires me to say that Hon. Edward Fontaine a Signature as appears with a request that we would certify that the name over yours, or which, upon examination of others in the Department, we are found not to correspond. Will you inform the Gentleman if your name has been signed to returns of elections by any other individual, which, you must know, is not proper.

Respectfully Yours

A. Amory Ac. Clerk.

Hon.
Francis Hunter
C. Justice, Robertson Cty

To-
C. Justice
Washington Co.
Commission
forwd to

Department of State,
Houston, April 27th 39

Sir,

Herewith you will receive a Commission for F. A. C. Smiley, Justice of the Peace, made in conformity with your return of 18th Instant

Respectfully Yours

A. Amory Ac. Clerk.

Hon.
Saml J. Toler
C. Justice, Washington Cty.

To
Wm Bryan
Desk Knives
returned

Department of State
Houston April 29th 1839

Sir

We herewith return the Desk Knives forwarded to this Department by You, because they are not of so good a quality as desired. In the order made out they were designated best quality

You will please send in lieu thereof "One Dozen Rogers Very best desk Knives" if such are not to be had we prefer doing without any.

All the other articles are very satisfactory

Very respectfully

A. Amory C. Clerk.

Wm Bryan Esqr.
Texian Consul.
New Orleans.

To-
C. Justices
& Sheriffs Co-
Commissions
forwd to

Department of State
Houston April 29th 1839

Sir,

I now send you commissions for William Watson Sheriff, George Mauk Coroner, John Houston, Amos Lewallen, John Applegate, James M Candler, Nelson W. Pudding, Joel Harborough Simon Cowdrey, John S. Townsend, Jacob B. Rains & Garrison Green with Notice of the Peace, in conformity with the returns made by you 13th inst. of an election held 13th of this month.

You do not inform us to what

precinct, Beat or district they severally belong, which information should be furnished without delay.

Hon. Geo. Lusk
C. Justice Shelby Co.

Respectfully yours &c.
A. Amory C. Clerk

P.S The Sheriff & Coroner must give bond and Security, and take the Oath before receiving their Commissions

A. Amory. C.C.

Department of State
Houston April 29th 1839

To-
Ch. Justice
Harrisburg Co
relative to
the Election
of M. Brown
Augh J.P.

Sir,

In returning election of Mt. Brown Augh. Justice Peace, under date 27th Inst. you say he had been previously returned, such is not the case at least none had previously reached the Department;

Also you report two elected for 8th District whereas the associate, Robert Mackin states he was elected for the 7th— Moreover, there had been two Justices previously returned for the 8th will you rectify this, if an error.

Hon
Chief Justice Co of Harrisburg

Respectfully Yours &c.
A. Amory C. Clerk

To-
C. Justice
Galveston Co-
Commissions
transmitted

Department of State
Houston April 29th 1839

Sir,

Herewith you will receive Commissions for Mc Cain, F. Wilson, Sheriffs, & C. B. Adams, Justice of Peace according to your return of ap. 18th last, of an election held the 15th this month—

The Sheriffs will not be delivered, until he shall have given Bond and Security and taken the Oath according to Law.

Hon. R. M. Johnson
Chief Justice Co. Galveston

Respectfully Yours &c
A. Amory C. Clerk

To-
A. S. Kimble
Relative to
part of the
Journals of
'36 missing—

Department of State
Houston April 29th 1839

Sir

The Journal of the Convention of March '36, signed by yourself and the Hon Richard Ellis President is incomplete. The dates from 10th to 16th of March are wanting.—17th being the last date, and bears the signatures abovementioned.

Any information you can give that will enable us to obtain a correct account of the proceedings of said Convention will be highly acceptable to the Government.

H. S. Kimble Esqr

Respectfully yours
(per order of the Secy of State
A. Amory C. Clerk.

To-
D. H. Kirchoffer, adjt Gen'l)
Houston Co- Texas)
Commissions
forwarded

Department of State
April 29. 1839

Enclosed you will find a Copy of a

1. 1/

Letter which was forwarded from this Department to the Hon. Colin Aldrich, which you will please notify us of its receipt as well as the Titles therein mentioned in pamplet form.

I herewith forward you Commissions for R. R. Russell, C. T. McKenzie & G. W. Browning Justices of the Peace for your County, elected 4th. February last according to the return made by Colin Aldrich 14th. February last, which you will please hand to those individuals.

Respectfully yours.
Natbl Amory
C. C. D. S.

Hon. John H. Kuchhoffer
Chf. Justice, Houston Co.

Department of State
Houston May 2nd 1839.

Sir

I hand you commission for Bennet Blake, James. Walling, Jacob Lewis, James Haverty, Willie Smith, Nath'l Killough, Joseph F Lewis & Wm Roark Justices of the Peace, and David Rusk Sheriff, Hayden Arnold Clerk Dist Court, L W Brown Coroner.

Those of Clerk, Sheriff, and Coroner will not be delivered until they shall have given bond and security and taken the Oaths of office required by law

I have the honor to be
respectfully Yrs.
N Amory C. Clerk.

For C. Justice Nacogdoches Co. Commissions forwd &c

Department of State
Houston May 2nd 1839.

Sir

I herewith transmit to you, Commission for Daniel McDonald Sheriff, Edward Linn, and Cannon, W. Victory Justices of the peace for your County in conformity with your return of 9th ult.o.

That of the Sheriff will not be delivered until he shall have given Bond and Security and taken the Oath of office required by law.

I have the honor to be
Very Respectfully yr obt Svt
N Amory C. Clerk

Hon Wm P. Miller
C Justice Victoria County.

For C. Justice Victoria Co. Commissions forwd &c

Department of State, Houston,
May 18. 1839.

Sir

The following is an extract from a letter dated Milam (Sabine County) 21st. April '39 from Hon. P. Loyd, Chief Justice of that County, which shews great irregularity of the Mails in that in Sabine Co- greater and I deem it important you should be apprized of the fact.

"Yesterday's Mail placed me in possession of a Commission appointing me Chief Justice of this County dated 12th. February last, also two letters from your Department bearing date

For Hon. Barry Dept No. Clerk Relative to irregularity of the mail in Sabine Co.

the 7th. February and 24th. March; containing "Abstracts of original Titles of Record" came to hand yesterday."

You will observe that the Journals of the Senate and Journals of the Convention forwarded 7th. Feb. in number Six of each, had not reached on the 21st. ultimo. while the Chief Justice acknowledges receipts of "Abstracts of Titles of Record forwarded on the 26th. March.

You will be pleased to ascertain the fate of the Journals aforementioned and take such steps as to prevent if possible a recurrence of the evils herein alluded to.

Very Respectfully Your Obt. Servt
for. order of Secretary of State
A. Amory C. Clk.

Hon. Robert Barr
Post M. General

To
C. Justice
Sabine Co.
Laws
forwd & reply

Department of State Houston
May 18th 1837

Sir

The complaints contained in yours of the 21st ultimo have been made the subject of a communication to the Post Master General, who I trust will take some steps to ensure greater regularity in the transmission of the mail to your section of Texas.

I have deposited in the Post office here, directed to you ten volumes laws, 1st Congress, 1st session to supply the deficiency existing in your County, and after giving ample time for them to arrive, if not received please advise the Department, or otherwise if received acknowledge promptly the receipt of the same, mentioning the number.

You say the abstracts of original Titles have come to hand, but do not name the number, please do so in your next.

Respectfully, by order of Secty of State
A. Amory C. Clk.

Chief Justice Sabine County.

To
A. Woodward
Consul
General

Republic of Texas, Department of State
Decr 16th 1836.

To Adam Woodward Esqr
Consul General of the Republic of Texas for the Ports of New York. Boston. Philadelphia and Baltimore

Sir

I am directed by the President to give such instructions as he deems necessary at this time for your government, in the discharge of the duties under your Commission of this date as Consul General of the Ports of New York, Boston, Philadelphia and Baltimore in the United States of America.

It is advisable that you should repair to the city of New York without more delay than can be reasonably avoided, and report your appointment, and exhibit your commission and instructions to the Minister Plenipotentiary of this Republic at the City of Washington, and adopt such measures in conjunction with said Minister as may be deemed necessary and proper for a recognition by the United States Government of your appointment as Consul General for the Ports above named.

In the event of any delay in the recognition of the

Independence of Texas, and of your authority as Consul, by the United States Government, it is the wish of this Government, and you are hereby instructed to act until such recognition takes place, as the General Consular, or Commercial agent of this Republic for the Ports above mentioned, and as such to do and perform such acts as usually appertain to the duties of Consul or Commercial agent, as may be necessary for the protection of the interests of this Republic and its citizens within said ports, and which do not in any manner contravene the laws of the United States in such cases and not incompatible with the general relations existing between that Government and this Republic.

It is also the wish of the President that you communicate to this Government and its Ministers at Washington all the information in your power, which you may deem of material importance to the interests of this Republic, either in a political, belligerent, commercial or financial point of view, or otherwise, and particularly that you give to Messrs A.J. Yates and M.B. Menard the Commissioners for negotiating the five million loan, all the information you can obtain on the subject of raising funds for this Republic, under the authority invested in them by this Government, and afford to such Commissioners such aid in effecting the contemplated loan as may be in your power.

It is also the wish of the President, and you are hereby instructed to obtain by means of Public notice in the Newspapers or otherwise an account in detail sustained by the proper vouchers of all advances or contributions made in money or property in favor of or for the benefit of Texas, by any persons in the Ports or Cities embraced in your General Consulship or elsewhere in the middle and eastern States of the United States, by whom made, at what place, to whom paid, and how applied, so far as may be practicable for you to ascertain and transmit such account with the proper vouchers to the Secretary of the Treasury of this Republic, with such remarks and explanations as you may deem necessary, in order that this government may adopt such measures as justice may require in the premises. You are also fully authorized to receive any donations or contributions in the nature of donations that may be made to promote the cause of Texas, reporting the same without delay to the Secretary of the Treasury, this authority however is not to be construed so as to give you power to appoint sub-agents to go through the country for the purpose of soliciting donations or for any other purpose, and should it come to your knowledge that any person or persons representing themselves to be commissioners or agents of this government, and travelling through the country soliciting donations, or doing any other act in the name of this Government, you will call upon such person or persons to exhibit his or their authority from this Government, and should he or they have no such authority you will adopt such measures as you may deem necessary to prevent imposition on the public by such pretended agents, reporting the same to our Ministers at Washington, and also to this Department.

S.F. Austin
Secretary of State.

Republic of Texas. Department of State
Columbia. March 31st 1837

To Nathaniel Townsend Esqr.
Consul for the Port of New Orleans in the
United States of North America

To
N. Townsend
Consul, Port
N. Orleans.

Sir

I am directed by his Excellency
instructions. the President to give you the following instructions, which are to serve in some degree as a guide to you in your actions as consul for said Port of New Orleans.

You will repair to the City of New Orleans as soon as you can conveniently do so, and immediately after your arrival in said Port you will send by the most speedy conveyance possible, to the Minister of this Republic at Washington City, a copy of your commission which is herewith furnished you for that purpose in order that he may lay the same before the authorities of that Government, and have you recognized as consul of the said Port. And when you shall be so recognized as Consul of said Port it will be your duty to attend to all the commercial interests of this Republic, and the interests of the Citizens thereof in said Port.

It is especially incumbent upon you to attend to and preserve as far as possible the commercial and personal rights of all good citizens of this Republic in the said Port of New Orleans as well as the general National rights of this government. To grant passports to persons coming into Texas, provided no good reasons shall appear to cause you to deny the individual applying for that protection and to do and perform all acts and things usually appertaining to the duties of Consul, and which do not in any way contravene the laws of the United States of North America and are not incompatible with the general relations existing between that Government and this Republic

It is also incumbent on you to report to this Government as well as its Minister or representative at the City of Washington all the information you may obtain from time to time in which the political relations of this government may be concerned or her Commercial interests affected as well as all other matter which you may deem important to the interests of this Republic or its Citizens. And for your further instruction I hereby refer you to the 2nd Volume of Elliotts American Diplomatic Code page 430, where you will find the duties of Consul defined at large and which you are hereby further instructed to adopt and pursue so far as they are compatable with the Constitution and laws of this Republic.

I have the honor to be
Your with great Respect
J. Pinckney Henderson
Secretary of State.

Department of State
Columbia April 10th 1837.

To
M. Flores
relative to all
Civil authority

Mr. Nicholas Flores

Sir

I am instructed by his Excellency the President to inform you that all civil authority for the present in Texas is

in Texas is vested in Judge Joseph Baker, and that none other will be recognized
Vested in Judge Baker until duly appointed by the authority of law. To Judge Baker has been
to Judge Baker referred all matters touching and concerning the person or property of the Citizens
remuneration of Bexar, whom we doubt not will exercise his authority with human-
for taken ity and justice. All soldiers who have committed acts of violence
property and without authority from the proper officer in Command are to be
furnished with surrendered by the proper officer into the hands of the civil authority
for the same to be punished according to law, and the said officers will not re-
fuse to comply with this authority, and in all cases hold themselves sub-
ordinate to the civil authority under the penalty of the law. Judge
Baker has been directed to make regular reports of the condition of Bexar
and the conduct of the troops to this department. Let all persons who
have had property taken from them by order of Colo Seguin, obtain
a certificate of the same, and present the claim to the proper officer
of Government for settlement, also all property taken by other Soldiers be-
longing to other Commands may be settled for in like manner

Given under my hand and seal of
office at the Town of Columbia April 16th
1837, and in the second year of our Independence

S. Pinckney Henderson
Secretary of State.

Department of State
Houston May 20th 39.

To
C. Justice
Bastrop Co

Sir

In conformity with your return of the 14th Inst. I now transmit you Commissions for David T. Burnham, Isaac Bird, Jorasleo Robinson, Wm Montgom'y Co. H. Bowen, Allen & Jones, James E. Buckhanon, Peter Cartwright, George Galbraith
Commissions Joseph Lindley, Mills Wheatley, Wm H. Bowen, and Isaac Towsey, Ephraim
transmitted McGary and Dilley McCrabb, Justices of Peace for your County, which you will please deliver to them.

Respectfully Your Obt Servants
N. Amory Chf Clerk

Hon Jesse Grimes.
Chief Justice
Montgomery County.

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to
C. Justice
Bastrop Co

Department of State
Houston May 20 - 1839.

Sir

Commissions transmitted

I herewith transmit to you commissions for David T. Owen, and Josiah F. Wilbarger Justices of the Peace and Castle Anderson Coroner for the County of Bastrop, which you will please deliver to them.

The Commission of the Coroner will not be delivered until he shall have given Bond and security and taken the oath of office required by law.

We have deposited in the Post office here this day 10 copies of each the 1st 2nd & 3d Volumes of Laws in 4 packages directed to you in accordance with the request Contained in yours of May 10th. After allowing ample time for their arrival should they not reach, please acquaint us, or in the event of their all reaching, inform us without delay.

Respectfully Yours &c.
N. Amory Chief Clerk.

Hon L. C. Cunningham
Chief Justice Bastrop County

To
C. Justice
Refugio Co
Commissions
transmitted

Department of State.
Houston May 20. 1839.

Sir

I now transmit in conformity with your return of an election held 25th Ultimo. Commissions for John McDaniel District Clerk, James Burns County Clerk, Bartlett Anibal Sheriff, L. W. Wrights, Coroner, and Peter Teal Justice of Peace for the County of Refugio, which you will please deliver to them. Those of the Clerks, Sheriff and Coroner you will not deliver until they shall have given bond and security, and taken the oath of office required by law.

Respectfully Yours
N. Amory Chief Clerk.

Hon James C. Allen
Chief Justice Refugio County.

To
J. W Eldridge
Relative to
Journals
H. of Repves

Houston may 22nd 1839.

Sir,

I am directed by the Secretary of State to say, that the gentlemen employed in copying the Journals of the House of Repes for the press is nearly out of material, and request to know when the Residue of the Journal of the last Session will be furnished this department

Respectfully Yrs.
N. Amory C. Clk

Jno W Eldredge Esqr.

To
W. Sample
J. G. Wright
Relative to
running the
boundary line
between
U. S & Texas

Department of State.
Houston 17th May 39.

Gentlemen,

The memorial addressed by you to the President on the 28th March last, upon the subject of the boundary line, between Texas and the United States, was received a few days since, and after giving it an attentive perusal, His Excellency directs me to say in reply, that he fully Concurs with you in the importance to both Countries, & especially to this, of the Speedy adjustment of that boundary. — So far from being opposed to the immediate running of that line, & thereby bringing about an early Settlement of the differences which have grown out of its present undefined Condition, the President has on no subject felt more anxious Solicitude, and now has claimed and received more of his attention. Only a few days have elapsed Since this department was notified by the American Charge d' affairs of the appointment of a Commissioner & Surveyor by the Government of the United States, but the President anticipating that such information would be received has been Since Feby. last making the necessary preparatory arrangements for the accomplishment of the work with as little delay as possible, & he hopes that the officers of both Governments will be in a Short time be ready to enter upon the duties of this mission.

"The President also directs me to say to his fellow citizens of Red River County, that his recollection of the many important Services rendered by them during the Revolutionary Struggle

with Mexico. and at all subsequent periods when required, needed no revival by a reference to them in their memorial. The patriotism and Gallantry of the people of that Section of the Republic, are impressed upon his memory in characters too indelible to be effaced in so short a time, and should the future Conduct of our enemy render a further resort to hostilities necessary (which he scarcely anticipates) his perfect knowledge of the Spirit & alacrity with which the Citizen Soldiers of Texas have ever rallied around their Country's Standard in the hour of danger, is a sufficient guaranty to him, that such a Contest could only result in the more perfect establishment of our rights & our liberties — he would therefore meet it without apprehension, & with such Soldiers as the Texians have heretofore proved themselves, he could not anticipate the necessity of invoking foreign assistance to bring it to a Satisfactory Close

I am Gentlemen
with great respect
Your obt Servt
Signed James Webb.
Sec of State

To Messrs. D Sample
J. G Wright & others
Memorialists from
Red River to Texas.

To
Sec of Treas'y
relative to amt
for Salary
of J. P. Hen-
derson —
Salary of
Mr. McIntosh
Sec of Lega-

Department of State, Houston 26th May 1839

To the honorable. The Secretary of the Treasury

Sir

I require ten thousand dollars for the payment in part of the outfit and Salary of the Hon. J. Pinckney Henderson as the Texian Agent at Paris, and also the payment in part of the Salary of Mr McIntosh the Secretary of Legation residing at London. You will therefore please to furnish me with a draft drawn by the President and countersigned by yourself on Messrs Hamilton & Burnley, Commissioners to negotiate a loan on the Bonds of this Government, payable to the order of General Henderson for that sum, as that is the only means to which I can resort at this time for placing them in funds, and of which they stand greatly in need.

Your Obt Servant
James Webb. Secretary of State

To
C. Justice
Austin Co.
Commissions
transmitted

Department of State
Houston 26th May '39

Sir

In conformity with your return of 17th inst.
I now transmit you Commissions for Churchill Fulcher & Ira Fisher
Justices of Peace for your County, which you will forward to them
Hon. A. H. Money
Chief Justice
Austin County

Respectfully Yrs &c.
A. Amory. C. Clk

To
C. Justice
San Augustine Co)

Department of State, Houston May 31. 1839

Sir.

I am directed by the Secretary of State to say that he is relative to much surprised to observe by your's of 14th inst. the great deficiency

furnishing Laws in your County, which he attributes to a neglect on the part of those vacating office, to deliver to their successors the books they may have received. And that it is expected that you will enjoine upon all the necessity of so doing in future.

On your informing this Department of the number of each required they will be supplied.

Most Respectfully Yours &c
N. Amory & Clerk.

Hon J. C. Brooks
C. Justice County of San Augustine.

To C. Justice Sabine County — Laws transmitted —

Page 98 of Rec'd Book. Letter to D. G. Burnet Department of State, Houston May 30. 39
Page 31. Sir

I hasten to supply the requisition made on this Department in yours of 13th May, by lodging in the Post office here under Cover directed to you the following books, Viz.

6 Volumes of Laws of late Session, ~~12 do~~ ~~NXNAS~~ 10 ditto — 2 Vol. and would enjoin upon you the absolute necessity of requiring all civil officers vacating an office, to hand over all books received from this Department to their successor, as I presume the scarcity of laws in your county is occasioned by a neglect to do so, as those necessary for the wants of the County have always been promptly remitted by us.

Respty Yours &c.
N. Amory

Hon. Wm. P. Wyche
Chief Justice of Sabine County.

To C. Surveyors — Relative to Surveying Three Leagues of School Land —

Copy of a Letter sent to each County Surveyor (30 in number)

Department of State, Houston May 29. 1839.

To the County Surveyor or his Deputy of the County of _____ Sir, I am instructed by the President to request you will proceed as early as may be practicable to locate and survey three Leagues of Land in pursuance of the Act entitled "An Act appropriating certain Lands for the establishment of a general system of education" approved Jan. 26. 1839.

This liberal appropriation is of the deepest interest to the Country, and will if wisely managed exert an important influence on the future happiness and well being of our Republic. The President is solicitous that you shall employ all diligence and your best judgement in making the selections and surveys, and that they be returned as early as possible to the General Land Office. Your prompt attention to this duty is therefore requested, and should there not be a sufficient quantity of good Land that is vacant in your County to make up the three leagues you will report the fact stating the amounts in acres of the deficiency to the Chief Justice of the County who will cause such deficiency to be supplied by surveys had elsewhere. Your Obt. Servt. David G. Burnet Act. Sec. St.

To C. Justice Sabine Co. — Commissions forwarded —

Department of State, Houston 1st June 39.

Hon Wm P. Wyche, Chief Justice of Sabine Co.

Sir. I have the pleasure to acknowledge the receipt of yours of 17th May, and in return enclose you the opinion of the Attorney General touching the question

98

Accounts (Navy) forwarded
Warrant for running the boundary line limited
by an act of Congress
Department of War. Department proper.
2d Master Generals office
Ordinance Department
Pay master Generals office
Adjt Generals office
Surgeon Genl

Attorney Generals Opinion transmitted

Forwarded.

Davies G. Burnet. Acting Secty of State.

And we now forward you commissions for William Earle Sheriff, Liscomb Norvell, James McMahan, John Grazier, Robert Gallantly, Jefferson Wilson & James S. Ogden Justices of the Peace for your County, which you will please have delivered, that of the Sheriff after he shall have given bond and taken the oath prescribed by law.

Respectfully &c
A. Amory D. Clerk.

Attorney Generals Office 31st May 1839.

Hon. A. G. Burnet. Sir

I have examined the question presented to your department by the Hon. Wm P. Wyche, Chief Justice of Sabine County, respecting the legality of the election for Justices of the Peace held in that County on the first monday of February last upon the order of one of the Associate Justices of the County Court, there being no Chief Justice at the time, and am clearly of the opinion, the election was valid in law, and that the Justices of the Peace chosen at that election were properly sworn into office by Judge Wyche.

This letter is the opinion referred to in the foregoing letter

I have the honor to be Very Respectfy Your Obt Servt
James Webb.
Attorney Genl.

to-
C. Justice
Nacog.es Co. Hon Wm Hart. Chief Justice
proclamations Nacogdoches County.
forwd 12

Department of State
Houston 5th June 1839.

Sir

I am instructed to send you several packages of proclamations. Those directed to you please distribute in Eastern Texas, and the remainder forward as directed by a speedy & safe conveyance if possible

Respectfully
Yours.
A. Sidney Johnston

Fr.
C. Justices
Laws, packages
transmitted
&c &c

Department of State
Houston 4th June 1839.

Sir

Last week we deposited in the Post Office four Package, Containing each four copies first part of "Laws of Coahuila & Texas." directed to you for distribution.

The second part of said Laws will be transmitted as Soon as it comes out of Press.

After ample time has elapsed for the arrival of both parts of the same, you will inform this Department how many Copies of each have been received.

You will in future in acknowledging the receipt of books &c, Say how many Copies, and not packages you have received.

In all communications to this Department direct to "Secretary of State," and not to the Undersigned

Hon Chief Justice of
Austin County.

Very Respectfully
Yr Obt Servt
A. Armstrong C C

PS. A copy of the above, Sent to each Chief Justice of the Republic

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To
D. W. Eldridge.
relative to
Journals of
H of Repves

Department of State Houston June 7. '39

Mr D. W. Eldridge

Sir. I would call your attention to the Journal of the House of Representatives of last Session, and desire to know when the remainder of the said journals will be furnished this Department as the Press will be shortly at a stand for want of Copys.

Respectfully Yours
David G. Burnet Actg Secty of State

To
D. H. Jones.
Tendering
the appointt
of Commissr
to run boundary
line between
U S & Texas

Department of State 7th June 1839.

Hon Isaac H. Jones.

Sir. I am requested by the President to say to you that Doct. Archer has declined accepting the appointment of Commissioner for running the line between Texas and the United States. The Doctors private affairs are so pressing as to compel him to decline this honorable and responsible appointment.

The President was from the beginning desirous of conferring that appointment upon you — but was apprehensive that too much time might be lost in offering it to you at your remote residence from us. But that difficulty is in some measure removed by the time designated for the meeting of the respective Commissioners of the two powers in the City of New Orleans, which is now appointed for the first Monday in August next, and the President instructs me to offer the appointment of Commissioner to you, which I do with sincere pleasure and an ardent hope that no unlooked circumstances may intervene to prevent your accepting it.

You can repair to New Orleans so as to be there without fail on or before the first Monday in August and your Commission will be transmitted to you at that place and in due season.

But I should it, unfortunately so turn out, that you

cannot accept it it is important that we be informed of it as early as possible— for the time will soon arrive when the ceremonies should be accomplished

Very Respectfully Your Obdt Servant
David G Burnet Actg Secty of State.

Department of State Houston 8th June '39

To
Wm T Brannen Esqr Navy Agent.

Relative to the Steamer Pontchartrain

Sir You will proceed without delay to Galveston, and on your arrival there will institute a strict enquiry into the circumstances which caused the entrance into that port of the Steamer Pontchartrain. You will examine her papers and ascertain her true character, and you will especially enquire whether she has any Cannon on board. and in what condition it is, whether mounted or not, in the hold, or on deck. You will also, ascertain the number and quality of small arms and other munitions of war on board— the number of her officers and crew, and what nation they are. In making these enquiries, your own sense of propriety will prompt you to observe the utmost humanity and deference towards the officers and others on board, and by no means to subject them to any unnecessary inconvenience.

Should you find the vessel to be American property and no unusual amount of arms or ammunition on board of her, you will forthwith order her release from all restraint and will render her all the facilities in your power to enable her to resume her voyage. But should she prove to be Mexican property and have her armament on board you will cause her to be detained until you can report all the relative facts, and receive further instructions from your Government. Should she prove to be private property whether Mexican or not, and no unusual quantity of arms or ammunition on board, you will order her immediate release, as this Government must always esteem as non combatant enemy in distress as entitled to its hospitalities.

Should you find it necessary in pursuance of your instructions to detain the Steamer, you will leave her in charge of the Collector of the Port and return without delay and make your report. If she is to be discharged forthwith, You will give the proper order and return

Your Obed Servant
David G Burnet Actg Secty of State

To
Capt A Reiban relative to investigations of the Steamer Pontchartrain.

Department of State Houston 8 June '39

Sir

Your letter dated 27th ultimo addressed to His Excellency the President has been received.

The President actuated by the same generous magnanimity that has so unequivocally characterized the conduct of this Government towards Mexicans, is desirous to extend to you and

your companions every aide of hospitality that may be consistent with his high duties and the interests of this country he represents. For this purpose I have despatched the Navy Agent Wm C Brannum hope to meet you and your Vessel and to ascertain such relative facts as will enable this Government to act advisedly in this matter. You will be pleased to render to Mr Brannum every necessary facility in prosecuting this investigation. With great Consideration I have the honor to be your ob'edt Servant. David G. Burnet Actg Secy of State

To
C. Justices
relative to civil Officers living over all books with the civil officers of the different Counties, after the requisite enumeration has already been forwarded by mail to the chief justices for distribution this Office

Department of State
Houston June 3rd 1839.

Whereas, frequent applications are made to this Department, for Laws and journals of Congress, to supply the deficiencies existing which have already been forwarded by mail to the chief justices for distribution

And whereas, it has been alleged, that previous vacating officers, often omit to deliver to their successors, the books received from Government, and appertaining to their said office.

Therefore, This is to require in future, the Chief justices of the different Counties, to receive of any Civil officer, vacating an office, all such books at the time he resigns, or to cause the same to be transferred, to the next incumbent.

And whereas, heretofore in the transmission of books, by mail, from this department, failures have sometimes occured.

This is to notify all concerned, that in future, diligent enquiry will be made into the cause of any such failure, and those guilty of neglect held Strictly accountable.

By Secretary (Signed) David G. Burnet
acty Secy of State

To
Cruger & Moore

Department of State
Houston June 13th 1839

Messrs. Cruger & Moore.

relative to printing &c

Gent

Will you inform this department at what rate you will agree to print a work in small pica type the page to be 44 lines, the lines to be 3 3/4 in long. for the first 250 Copies of 8 pages, and what for all succeeding 250 Copies of 8 pages. what per 100 pages for sewing folding & cutting, and you find the paper.

Per order of Secy of State
A Causey Co Clk

To
D L Hodges
relative to his appointt as Consul Port Philada

To
John D. Hodge Esq. Phila

Republic of Texas, Department of State
City of Houston, Sept. 20. 1838.

Sir

About the 20th of May last I had the honor to transmit to you an appointment signed by his Excellency the President as Consul of the Republic of Texas for the Port of Philadelphia. Not having had the pleasure of hearing from you since, and being extremely solicitous to ascertain whether said appointment has been accepted, I have to request that you will do so as soon as practicable.

after the receipt of this communication, notify this Department of your determination. With sentiments of consideration and respect I have the honor to be, your Obt Servant.

R. A. Irion Sec. of State

No.
6. Vogelgsang & co
relative to the
Schooner
Eliza Russell

Houston 23rd May 1839

Department of State
Houston 14th June 1839

Messrs H. Vogelgsang & Co
New Orleans.

Gentlemen,

I yesterday had the honor to see your letter of 16th April directed to my predecessor in this Deptmt. I enclose you a communication directed to the British Consul in New Orleans, in which I have set forth at some length the views of this Government in relation to the claim of Captain Russell late of the Schooner Eliza Russell, and which I trust you will find satisfactory. There are many incidents of war that are subjects for regret, and I do sincerely regret the one from which that claim has resulted.

Very respectfully
I am Gentlemen Your Obdt Servant
David G. Burnet
Actg Secty of State

No.
7. Crawford
relative to
the claim of
Capt J. Russell
for the seizure and
detention of
the schooner
Eliza
Russell.

Department of State Houston 14th June 1839.

To John Crawford Esqr. British Consul New orleans.

Sir. I have the honor to acknowledge your letter of 17th April directed to this Department: and also the document accompanying it and relating to the claims of Capt Joseph Russell founded on the seizure and detention of the Schooner Eliza Russell by the Texian Armed Schooner Invincible.

This Government is desirous of fulfilling all the obligations that may rightfully belong to it, and we recognize the claim of Capt. Russell as of this description because it has been officially acknowledged as such by the late Executive authority of this Republic. But in making this declaration, I cannot forbear to remark that the late President in acknowledging the justness of Capt Russells claim for indemnity was actuated more by a reluctance to see this young nation involved in a controversy with the ancient and venerable Government of Great Britain, than by the known and admitted principles of international law. A similar disposition still prevails, and this government will carry it out by rendering the indemnity first required and on the presentation of which, the acknowledgement of its justness was based, so soon as Congress shall make the necessary appropriation.

I remark in the statement you transmit, several additional items in the account of Capt Russell which swell its amount much beyond his first demand which was £665.4.- Had these items been added in the first instance, it is probable this Government would have been more cautious in its admissions, for it never could have entertained a doubt that the British Government would concede to all other nations the same rule of international law, that it has so strenuously claimed, time immemorial, in justification of its own transactions.

It is a fact deduced from the Confession of Capt Russell himself, that there were Mexican goods on board the Eliza Russell at the time of her detention. These goods, comprising the larger portion of his cargo, Capt Russell refused to surrender to the Texian Commander and the latter was compelled either to relinquish a lawful prize of war, or to convey the neutral vessel charged with the enemy's goods, to a port of this own Country for legal investigation. The latter course was adopted. But the President, feeling as we all feel, a warm solicitude to cultivate the most amicable relations with the Government of Great Britain and its subjects, promptly and without an enquiry into legal rights, disclaimed the act of the Texian Commander and ordered the immediate discharge of the vessel, and restitution to be made of the stores &c. that had been used during her detention: all of which was carried into effect and a promise given of further indemnity in the nature of demurrage.

Capt Russells first account rendered was for £865 11 4— and that account under the influence of the same spirit of conciliation was acknowledged to be just and its payment promised as soon as the necessary action of Congress could be had upon it. The omission on the part of Congress to ratify that promise has probably resulted from the intervening change in the administration, and the want of an agent here on the part of Capt Russell, to revive the subject. Our Congress will convene again on the second Monday in November, and this interesting subject will then be fully presented to them. It is desirable that Capt Russell shall have a duly authenticated agent here to act for him in the adjustment of this matter provided he can do so without too much inconvenience.

I have the honor to be with Great respect your obdt Servt.

David G. Burnet

Actg Secty of State

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to. I. H. Jones relative to his appoint as Com. to run boundary line— also— D. Sample. —and— G. M. Smyth Surveyor—

Department of State, Houston June 18. 1839.

Hon. Isaac H. Jones, Dear Sir, I had the pleasure to address you some days ago, and to apprise you of the Presidents' wish for you to accept the appointment of Commissioner to run the line. A Copy of that letter I now enclose and have further to add that should you not find it consistent with other duties to accept the appointment you will be pleased to tender it without delay to David Sample Esq. on whom the President will cheerfully confer it.

It is important that we should know as early as possible whether the appointment is accepted by yourself or Mr Sample for if both should decline there will be no time to spare in filling the Commission. You will therefore please inform me by the earliest possible means, of your own determination and of the result of your application to Mr Sample, from whom I will also be happy to hear.

I am informed that a gentleman in your County Mr Johns, has had reason to expect the appointment of Surveyor and I am requested to say to you and through you to Mr Johns that at the time the President inadvertently expressed his wish to confer that appointment on him he had forgotten that it had been previously offered to Geo. W. Smith a citizen of Jasper County. Mr S. has informed us of the

acceptance of the appointment. I am Respectfully Your Obt. Servt.
David G. Burnet. Actg. Sec. State.

To
E. Justice
H. Texas Ca.
relative to
appointing
Clk pro tem.

Department of State.
Houston 20th. June 1839.

Hon:
Wyly Martin
Chief Justice &c.
Sir.

Your report relating to the absence of the Clerk of your Court, M. N. Pool, was presented to me on yesterday, it had been misplaced.

The protracted absence of Mr Pool certainly justifies the presumption that the office is vacant by his own intention; it is clearly vacant de facto.

You will therefore proceed to appoint a Clerk pro tempore in accordance with the law organizing and regulating the inferior Courts.

very respectfully your obt Servt.
David G Burnet
actg Secy of State

To
Gth. Smyth
relative to his
acceptance
of the appoint.
of Surveyor
to runs boundary
line between
U.S. & Texas.

Department of State, Houston 24th June '39

George W. Smith Esqr

Sir, I have the pleasure to receive your letter of 1st inst. addressed to the President informing him of your acceptance of the appointment of Surveyor to run the line between this Government and the United States.

The President is quite indisposed and not able to attend to business, but it affords me pleasure to assure you, that your acceptance of that arduous and very responsible appointment is a source of gratification to him, and will we doubt not, be advantageous to the Country.

By appointment between the two interested Governments, the respective Commissioners &c. will meet in New Orleans on the first Monday in August next, and will immediately proceed to the execution of their duties. It is therefore requisite that you shall be in New-Orleans at that time. You may consult your own discretion and convenience whether you will go directly from your residence to New-Orleans, or come to this place and embark from Galveston. It is however very important that no disappointment occur in the time of meeting.

(Very respectfully) Your Obt Servt.
David G. Burnet.
Act Secty of State.

To
C Dorp
Consul at
New Orleans

Department of State
Houston 25th June 1839

Sir, I have the pleasure in pursuance of the instructions of the President to transmit you a Commission as Consul for this Republic at and for the Port of Philadelphia

for Port Philad'a

And I trust you will find it both convenient and agreeable to accept ~~the~~ it. Accompanying the commission you will receive a small volume containing general instructions for the Consular office.

You will please notify this Department of your acceptance of the appointment and transmit to it a bond, executed according to the form prescribed in page 32 of the instructions.

With much respect, I have the honor to be Your Obt Servt

David G Burnet acty Secty State.

P. S. I enclose the copy of a letter to John L. Hodge Esqr to which we have never received a reply, or have we any evidence in the Department that Mr Hodge accepted the appointment of Consul for Philadelphia

June 25th.

N. Amory 6th ch. 6th, Dept of State

To.
A.H. Starr. Sec of Treas.

relative to the removal of the Government in relation to the Cherokees and other Indian tribes an appropriation of about Twenty Seven Thousand, Dollars will be required.

Department of State. Houston 27th June '39

Hon. James H. Starr, Secty of Treasury

Sir, In order to carry out the views of the Government in relation to the Cherokees and other Indians Major James Reiley who is appointed to take charge of the funds will receive and receipt for any advance you make him.

With great Consideration, I am Your obdt Servant.

David G. Burnet, acty Secty of State

To.
M. M. Battle

relative to his acting as Deputy Clk. Dist C.

Department of State Houston 27 June 39

To Miles M. Battle Esqr.

Sir, Mr Herndon informed me that you feel some delicacy in continuing to act as Deputy Clerk of the District beyond the period for which you were appointed.

The continued absence of the Clerk makes it your duty to act until you are regularly superseded, and I beg you will continue to do so. The resignation of Judge Franklin renders an appointment of a clerk impossible until his successor shall be inducted to office

With Great respect Your Obed. Servant.

David G. Burnet acty Secty of State

To.
C. Justices
Sabine Co.
Commissions
Forwd to

Department of State, Houston June 27. 1839.

Hon. Wm. P. Wyche, Chief Justice County of Sabine, Dear Sir, I now enclose commissions for William Earle Sheriff, and John M. Mitchell J. B. Stoddard, James McMahan, Lipscomb Norvell, John Frazier James S. Ogden, Jefferson Wilson, Robert Gallantly, Justices of the Peace for your County which you will please deliver.

That of the Sheriff after he shall have taken Oath, and given Bond according to Law.

Resp. J. Yrs &c. N. Amory C. Clk.

Fr.
C. Justice
Jefferson Co.
Commission
Forwd 12

Department of State, Houston June 26. 1839

Hon. Henry Mellard Chief Justice, Jefferson County, Sir, I enclose Commissions for Andrew J. Phelan, and Robert West Justices of the Peace, for your County. Respectfully yours &c. M. Amory. C. Clks.

To-
C. Justice
Washington Co.
Commission
Forwd 12

Department of State, Houston June 26. 1839

Hon Dan. J. Toler, Chief Justice Washington County, Sir, I enclose Commissions for Gideon Walker, and Joseph Ferguson, Justices of the Peace for your County. Resp.fy. Yours M. Amory C. Clerk.

Fr.
C. Justice
Colorado Co.
Commission
transmitted

Department of State, Houston, June 26. 1839

Hon. Welland Wadham Chief Justice Colorado County, Sir, I now enclose a Commission for L. I. Redgate Justice of the Peace for your County. Respectfy. Yours. M. Amory C. Clk.

Fr.
C. Justice
Refugio Co.
Commission
Forwd 18

Department of State Houston June 26. 1839

Hon. James C. Allen, Chief Justice Refugio County, Sir, I now enclose you Commissions for I. T. Case, Recorder of the City of Aransas, as Justice Justice of the Peace for your County, and also one for James Powers Mayor of the City of Aransas, also as Justice of the Peace for your County. Resp.fy. Yours M. Amory C. Clk.

Fr.
S. Reily.
relative to
the removal of
Cherokee
Indians

Department of State Houston 27th June 1839.

S. Reily Esqr.

Sir, I am instructed by the President to request that you will proceed with all despatch to New Orleans, and on your arrival there will present the two checks for 25.000 and 2.000 dollars with which you have been furnished for payment. The two thousand dollars are designed to defray your own expenses and other contingencies.

If they are paid, you will without delay repair with the funds to Nacogdoches, where you will finds the Commissioners appointed to direct and superintend the removal of the Cherokee indians, to whose instructions you will conform in disposing of the funds. You will use all diligence in the transportation of the funds, which you will procure to be paid to you in Silver. It may be prudent to cause insurance to be made on them as far as Natchitoches and if you shall esteem it advisable you may employ an escort to conduct them from that point to Nacogdoches.

Should the checks not be paid on presentation, you will remain in New Orleans for ten days, and if the money is not to be had by that time you will proceed to Nacogdoches with despatch and apprise the Commissioners of that fact.

The Commissioners will probably send an escort to meet you at Natchitoches, but you must not tarry on that account.

The President has implicit confidence in your Carefulness, and integrity, and commits all minor matters to your discretion.

With great respect, I am your Obdt Servant

David G. Burnet acty Secty of State

Fr. D.G. Burnet &c. &c. &c appointed Com. to remove Cherokee Indians &c

Executive Department Houston 27th June 1839

(1st

To David G. Burnet, A. Sidney Johnson, (Thomas J. Rusk S. M. Burton, & James S Mayfield Esqrs.

Gentlemen.

Recent events, of the nature of which you are already appriged, convince me of the necessity of the immediate removal of the Cherokee Indians, and the ultimate removal of all other emigrant tribes now residing in Texas, beyond their Territorial limits; I have therefore appointed you Commissioners on the part of the Republic, to make the necessary arrangements for carrying this measure into effect.

Upon assembling at Nacogdoches, or such other point as you may find more convenient for your operations (which you are requested to do as early as practicable) you will inform yourselves of the best mode of procuring the removal of the Cherokees beyond the Red River, and take such steps as will accomplish that object with as little delay as circumstances will admit: It is desirable that this should be done in a peaceful and friendly manner, and to render the proposition acceptable to the Indians, you are authorized to make them a fair and liberal compensation for their improvements, crops and such other property as they will be unable to take with them out of the country, the amount of which to be ascertained by appraisers which I have appointed for that purpose; but in consenting to make them this Compensation, you will not agree to pay them more than one Fourth part of it in Cash, the residue to be paid in goods, which it is understood the Merchants of Nacogdoches and St Augustine will advance at fair prices on the credit of the Government.

Previous however to making any stipulation to this effect with the Cherokees, you will have a distinct understanding with the Merchants, that they will receive from them in payment for goods such scrip or orders as you may issue to them, and that they will supply a sufficient quantity of goods at fair prices, to redeem all the scrip or orders which you may thus issue.

If you find that it will be acceptable to the Indians to receive the whole amount of compensation agreed to be given them for their improvements and other property, in goods, you will adopt that as the preferable mode of making payment, but if they express a decided wish to receive a part in cash, you will stipulate to pay them one fourth of the amount in money, provided it does not exceed twenty five thousand dollars, but in no event will you agree to pay a larger sum than $25,000, in cash, nor will you pay them any money or issue to them any scrip for goods until the property agreed to be paid for shall have been delivered to such persons as may be appointed by the Secretary of War to receive and take charge of it.

You will also have it understood that after they have received their scrip or only a limited time (which you will designate) will be allowed for its negotiation, immediately after the expiration of which, they will commence their journey of removal beyond the Red River.

In your communications with these Indians, you will on

to convince them by all proper arguments of the friendly dispositions of this Government towards them, and of its desire to make such arrangements as will be entirely just and satisfactory to them, but will at the same time assure them, that under no circumstances can they be permitted to remain in the Country longer than will be required to make the necessary preparations for their removal. That this course has been adopted towards them, because I am satisfied that it is essential not only to the peace and prosperity of our own Citizens, but to their safety and existence as a people; And that unless they consent at once to receive a fair compensation for their improvements and other property, and remove out of the country, nothing short of the entire destruction of all they possess, and the extermination of their tribe will appease the indignation of the white people against them

If you meet, or can have communication with the Kich=
=apoo tribe of Indians you will make known to them also, the necessity of their immediate removal out of the Country, and you will take such steps as you may find necessary to get them beyond our limits without delay

As regards the Delawares, Shawnees, and such other tribes as have manifested a peaceful and friendly disposition, you will per=
=mit them to remain in the Country for the present, upon their giving assurances of good conduct while they do remain, but you will be care=
=ful to impress it upon them, that any evidence of hostility on their part will cause their immediate punishment and expulsion. But in giving them permission to remain for the present, you will be careful to excite no hopes on their part, of being eventually allow=
=ed to identify themselves with the country, or to claim any right in the soil. The terms of their continuance are, that they shall not be disturbed provided they conduct themselves properly until such time as Congress or the Government may make such arrangements in respect to their future disposition as will be satisfactory to both parties

Reposing gentlemen the most entire confidence in your discretion and abilities, these matters are confided to your manage=
=ment, with the fullest assurance on my part, that every thing will be done which circumstances may demand, towards bringing our Indian difficulties in that quarter to a speedy and final close

I am gentlemen with Great respect your
Obedient Servant.
Mirabeau B. Lamar.

Not Sent!

Department of State, Houston 28th June 1839

Hon.! William Lane, Chief Justice &c.

Sir. Enclosed you will receive your commission as Chief Justice of the County of Harrison. The President requests you will proceed with all practicable despatch to organize the Coun=
=ty and duly report your progress.

Should any portion of the County of Harrison run into the limits of the County of Milam supposed to be in the State of Arkansas, you will carefully abstain from attemp=
=ting to exercise any jurisdiction within such portion of your

County until the boundary line between the United states and Texas shall be definitively ascertained.

With great respect I am Your Obedient Servant.

David G. Burnet acty Secretary of State.

To the Citizens of Liberty County, bordering on the Cushatta Towns and Villages.—

Fellow Citizens

I have recently heard with feelings of deep regret, of acts of hostility committed by some of the citizens of Liberty County upon the Cushatta Indians residing in their neighborhood and that five of the Indians have already been slain by the white settlers, and the rest of them threatened with extermination. These are things which ought not to take place, and which cannot be permitted by the Government. They are direct violations of the law, and are calculated to involve the whole Country in a general Indian war, which at this time should be avoided if it can be done without a sacrifice of our rights and National dignity. The Cushatta Indians are in themselves a weak and defenceless tribe, and as such not to be dreaded, but if they are treated with injustices on account of their weakness, will it not afford to more powerful tribes a pretext for hostility and aggression which they have already too anxiously sought?— It is the settled policy and determination of the Government to remove beyond our territorial limits every Indian tribe that has no rightful claim to reside in Texas, and such is the state of our present Indian relations, that there exists a strong hope of our being able to do this, without delay or bloodshed, provided they are not exasperated to hostilities by individual acts on the part of our own Citizens. When the emigrant tribes shall have been removed the few which claim the right to remain will not have the means of giving us annoyance, and should they attempt it there will be no difficulty in punishing them as they deserve, but it will be impossible to carry out the policy which has been adopted for the attainment of this most desirable end, if our own people regardless of law and of the dictates of prudence, shall upon every slight or supposed aggression, make war upon the such of the scattering tribes as shall be within their reach at the moment of excitement

See Next page.

I am well aware that there are vicious Indians in every tribe, and I have no doubt that you sometimes experience annoyance from such belonging to the Cushatta's, but is it right, or in accordance with the liberal ideas of justice entertained by the white man to punish indiscriminately the whole of a peaceful tribe for the misdeeds of a few bad men?— It certainly is not, and especially when ample redress can be had by a different course. I have therefore felt it to be my duty to issue my proclamation calling upon you to abstain from a course which is not only unjust in itself, but which if persisted in, must lead to the most unpleasant consequences both to you and the Country. To prevent as far as possible future difficulties of this kind, I have appointed an agent to reside among these Indians, to superintend their affairs, and to keep a strict watch over them so as to prevent encroachments on the white settlements and should they again trespass on your rights or property you will make

it known to this Agent who will be instructed to take the necessary and proper steps to have the offenders punished, either by their own Chiefs, or by reporting them to the Government. By pursueing this course instead of assuming to yourselves the right of making war for every suppossed or actual injury, you will not only have ample justice awarded to you, but you will avoid conflicts which must necessarily arise between yourselves and the Constituted authorities of the Country, which might produce the most disasterous results, and which as good citizens, and a law abiding people, I am satisfied you would regret.

With my best wishes for your prosperity, and welfare,
I am with respect, Your Fellow Citizen.

To

Citizens of Liberty Co. relative to difficulties with Cashatta Indians

To the Citizens of Liberty County residing near the Cushatta Towns and Villages

Fellow Citizens, I have heard, with feeling of deep regret, of disturbances and conflicts which have recently taken place between some of the Citizens of Liberty County and the Cushatta Indians residing in their vicinity. I regret it, because such disturbances are calculated to involve the Country in an Indian war, which at this time should be avoided, if it can be done without compromitting the rights of our Citizens; or sacrificing our national dignity. The Cushatta Indians are in themselves a weak and defenceless tribe and as such not to be dreaded, but if they are treated with injustice on account of their weakness, will they not fly for protection to more powerful tribes, and will it not afford those tribes a pretext for hostility and aggression which they have already too anxiously sought? It is the settled policy and determination of the Government to remove beyond our territorial limits every Indian tribe that has no rightful claim to reside in Texas, and such is the state of our present Indian relations, that there exists a strong hope of our being able to do this without delay or bloodshed, provided they are not exasperated to hostilities by indiscreet acts on the part of our own Citizens. When the emigrant tribes shall have been removed, the few which claim the right to remain will not have the means of giving us annoyance, and should they attempt it, there will be no difficulty in punishing them as they deserve, but it will be impossible to carry out the policy which has been adopted for the attainment of this most desirable end, if our own people, regardless of the dictates of prudence shall upon every slight aggression make war upon such of the scattering tribes as shall be within their reach at the moment of excitement.

I am well aware that there are vicious Indians in every tribe, and I have no doubt that you sometimes experience annoyances from such belonging to the Cushatta's, but is it right, or in accordance with the liberal ideas of Justice entertained by the white man, to punish indiscriminately the whole of a peaceful tribe for the misdeeds of a few bad men? It certainly is not and especially when ample redress can be had by a different course. I have therefore felt it to be my duty to issue my proclamation calling upon you to abstain from a course which if persisted in, must lead to the most unpleasant consequences, both to

you and the Country. To prevent as far as possible future difficulties of this kind, I have appointed an agent to superintend the affairs of these Indians, and to keep a strict watch over them so as to prevent encroachment on the white settlements; and should they again trespass on your rights, or property, you will make it known to this agent who will be instructed to take the necessary and proper steps to have the offenders punished, either by their own Chiefs or by reporting them to the Government. By pursuing this Course instead of assuming to yourselves the right of making war for every supposed, or actual, injury, you will not only have ample justice awarded to you, but you will avoid Conflicts which must necessarily arise between yourselves and the Constituted authorities of the Country, which might produce the most disasterious results, and which as good citizens, and a law abiding people, I am satisfied you would regret.

With my best wishes for your prosperity and welfare

I am with Respect your fellow Citizen

Houston July 7th 1839. Minitree. B. Lamar

Fm.

Department of State Houston 9th July '39.

J. R. Jenkins. Sir, The Hon. Benjamin C. Franklin having resigned appointed the office of Judge of the second Judicial District, I am directed by the Judge 2nd President to tender the appointment to you. Will you therefore do me the Judicial favor to notify this department at your earliest convenience, whether or not you will accept that appointment

I have the honor to be with great respect

Your obedient Servant

James Webb Acty Secty of State.

James R. Jenkins Esqr

Washington.

Fm.

Department of State Houston July 6th 1839.

Sec. A. Slaughter Sec. of Treas. To the Hon. James A. Slaughter, Secty of Treasury:

relative to liquidation of the claim of the U.S. for the seizure & detention of the Brig Pocket & Durango

Sir, By a Convention entered into between the Govts of the United States and Texas to terminate the reclamation of the former Government for the capture, seizure and detention of the Brigs Pocket and Durango, and for injuries suffered by American Citizens on board the Pocket, the ratifications of which were exchanged on the sixth day of July, 1838, it was stipulated and agreed that this Government should pay to the Government of the United States the sum of $11,750 in gold or silver with interest at 6 per cent One year after the exchange of said ratifications. And as the time limited for said payment has now expired, and having been called upon by the Hon. Alcée Labranche Chargé de Affaires of the U. States duly authorized to receive the same for the amount stipulated to be paid, you will please furnish this Department for that purpose with the sum of twelve thousand four hundred and fifty five dollars in gold or silver, or in a draft at sight on the Merchants Bank of New Orleans, payable in gold or silver, that sum being the amount of principle and interest stipulated to be paid by the Government of Texas to the Government of the United States as aforesaid

I have the honor to be with great respect

Your Obdt Servant

James Webb, Acty Secty of State

To-
Cashier,
Merchants
Bank N.O.-
relative to
drafts
drawn on
Bk of N.O.
&c-

Republic of Texas, Department of State

To the Cashier of the Merchants Bank, Houston July 6th 1839.
New Orleans.

Sir, By despatches received from Genl Jas Hamilton, under date of 29th May 1839, the President of this Republic has been advised that there would be deposited to his Credit in the Merchants Bank of New orleans two hundred thousand dollars so soon as the same could be forwarded from Philadelphia by a safe private conveyance, and presuming that this sum will have been received before a draft could be presented, he has drawn on the Bank in favor of the Hon. Alcée La Branche Chargé d' Affaires of the United States for twelve thousand four hundred and fifty five dollars to be paid out of that deposite.

You will perceive that the draft is payable in silver, altho' information has been received that the deposit would be in Post notes of the United States Bank. It was necessary to draw in this way as it relates to a Monied transaction between the Governments of Texas and the United States which could only be met in this way.- Should there be a difference therefore between the Post Notes of the United States Bank and Specie, against the notes, that difference you will please charge to this Government on the deposit account and pay the draft in Specie.

Not being positively certain, whether the deposite would be made to the Credit of President Lamar or the "Government of Texas" the draft has been so worded as to meet either contingency, and is countersigned by the Secretary of the Treasury to give it all the validity of a Government transaction.

I have the honor to be with great respect your
Obedient Servant
James Webb, Actg Secty of State.

To.
C. Justice
Refugio Co
relative to
Elections
& Com.s=

Department of State Houston July 11th 39

Sir, We are in receipt of your Communication of 20th Ult. apprising us of the election of Mr Joel T. Case Magistrate, and Michael Cahill, Constable on the 6th Ultimo. But you omit to state what Dist. Moreover Mr Case in addition to his Commission as Notary Public, has recently been Commissioned Justice Peace; as no order which the Law allows

Respectfully Yours &c.
by order of Secty of State. A. Amory C. Cl'k

Hon. Jas C. Allen
Chief Justice Refugio County.

To.
Wm Bryan.
plan of in New Orleans
the City
of Austin
forwd'd
for=
exhibition

Department of State, Houston July 11-39

Sir I herewith send a plan of the City of Austin, for exhibition

Respectfully your obdt Servant
per order of Secretary of State
A. Amory Chief Clerk.

William Bryan Esqr
Consul for the Repub. Texas
New Orleans.

No.
Chf Justice
Harrison &
Hannin Cos—
Proclamation
transmitted
ordering
a General
Election

To the Hon:
The Chief Justice
of Harrison County.

Department of State
Houston 13th July 1839.

Sir,

Herewith you will receive one news=paper containing the Presidents Proclamation ordering a general election for Representatives in the next Congress of the Republic, and for Senators to fill the vacancies of those whose terms of service have expired. You will therefore cause an election to be held in your County in accordance with the proclamation, but you will not proceed to any further organization of the County until the boun=dary line between the United States and Texas has been ascertained. The running of that line will take place in a few weeks, and it is hoped but little inconvenience will result to the cit=izens of the County from the delay in it further organization, which the relations between this country and the United States render imperative.

I am Sir Respectfully
Your Obt Servant
James Webb
Acty Secty of State—

Hon:
Chief Justices
of Harrison & Hannin Counties
Sent to Hannin County & copy sent Genl Council.

No.
C. Justice
Jasper Co.
Commission
transmitted

Department of State
Houston 13th July 1839.

Sir,

I now forward Commissions for William Allen, Hannibal Good and William Pamplin, Justices of the Peace for your County.

Hon:
Chief Justice, County of Jasper.

Respectfully
N. Amory, Chief Clerk

No.
C. Justices
Goliad Co.
Commissions
transmitted

Department of State
Houston 13th July 1839.

Sir,

I now enclose two Commissions, both for William S. Patterson, one as Clerk of the District Court, and the other as Clerk of the County Court of your County, which you will deliver after Bond and Security have been given, and the oath taken.

Hon:
Chief Justice of Goliad County.

Respectfully
N. Amory Chief Clerk

No.
C. Justices
Ordering

Department of State
Houston July 17th 1839

Sir, I herewith enclose the Telegraph of this date containing an Election an order for the election of Senators and Representatives to the next for Senators Congress. Also send you eight copies of Journal of the General Counc & Proclamation which you will please acknowledge the recpt of, and distribute

Respectfully Your Obt Servt
N. Amory Chief Clerk

Hon'l Chief Justice, &c,
one of the above sent to each County.

To-
Thos. A. Dexter
Commissioned
Consul Port=
of St Jago

Republic of Texas.

Department of State, Houston 31st July 39

Sir, I am instructed by the President to tender to you the appointment of Consul for the Port of Boston, should it be agreeable to you to accept of St Jago the same, which I trust it may, you will forward your bonds for Five Thousand Dollars to this Department according to Consular instructions herewith enclosed, for which I will find sureties, and forward you your Commission.

Respectfully Yours &c.
Nathl Amory, Actg. Secty of State.

Thomas A Dexter Esqr
Boston.

To-
I. A. Jones. &c. &c. &c.
instructions
& Commission
relative to
running &
marking
boundary
U.S. & Texas

Department of State
Houston 2d of July 1839

To Isaac A. Jones Esqr, and in the event of his absence, To David Sample Esqr

Sir, The President having, under and by virtue of the provisions of a convention, entered into between the United States and the Republic of Texas, on the 25th April 1838, the ratifications of which were exchanged on the 12th october of the same year, appointed you Commissioner on this part of this Republic, to run and mark the boundary line between the two Countries as contemplated by said Convention, I have the honor herewith to hand you your Commission as such, and to inform you that Colonel W. Smyth Esqr has been appointed the Surveyor required by said Convention to attend you in the performance of this duty, and that Hamilton Bee Esqr has been appointed Clerk to said Commission.

By a letter under date 13th May 1839 from the Hon. Alcee La Branche Chargé de Affaires of the United States, this Government was notified that there had been appointed on the part of the United States, pursuant to said Convention, John Overton, Commissioner, John R. Conway Surveyor, and John S. Clendennen Clerk; and by a letter from this Department in answer thereto, the Government of the United States were informed through their Chargé de Affaires, that the first monday of August was selected as the day, when the respective Officers of the two Governments would be met in New Orleans, preparatory to their entering upon their duties according to the stipulations of said Convention.

When notice was given to the Government of the United States of the Appointment of the Officers to run and mark the line under the Convention, Baanch T. Archer Esqr was named as Commissioner, and R. T. Johns as Surveyor, since which time Col Archer has declined performing the service, and from the great distance to the residence of Mr Johns, and the impossibility of hearing from him previous to the day of meeting, the President has found it necessary to appoint another Gentleman as Surveyor, respecting whose attendance at the time and place appointed there would be no doubt. He therefore appointed you as Commissioner in the place of Mr Archer and Geo W. Smyth Esqr as Surveyor in the place of Mr Johns, and our Minister at Washington has been directed to notify the Government of the United States of this change. Thus made.

The Surveyor and Clerk have been notified to meet and report to you in New Orleans on or before the first Monday in August and you will then make known to the Officers appointed on the part of

the United States, your Authority and powers, and after being appraized of theirs, you will proceed at once, with them, to the duties of your Mission.

By the terms of the Convention, (a certified copy of which is herewith furnished you) you will perceive that your duties in the field are to commence at the mouth of the Sabine River, and end at the Red River, and by the Treaty of limits between the United States and Mexico, of January 12th 1828, a certified copy of which is also herewith furnished you, you will also perceive that from the place of begining you are to follow in a North direction the west Bank of the Sabine River to the 32d degree of Lattitude, and from thence to run a line due North to the Red River.

In the performance of this duty you can experience no difficulty, except in ascertaining the precise point of intersection of the Sabine with the line of the 32d degree of North Lattitude, but this will require much precision and care, as upon the correct ascertainment and establishment of this point, depends the whole question of boundary between the two Countries.

In the discharge of your duties, you will be governed strictly by the terms of the treaty and the Convention for running the line. The Surveyor and Clerk will pursue your instructions, and and will see that all the requisitions of the Convention are complied with.

(The Convention stipulates that "the two Governments will Amicably agree respecting the necessary Articles to be furnished to those persons (the Officers of each) and also as to their respective escorts, should such be deemed necessary." As no understanding has yet been had between the two Governments as to what articles may be necessary under that stipulation, you are hereby fully authorized to determine and agree on the part and behalf of this Government respecting the articles to be thus furnished, and the escort necessary; and presuming that the Commissioner appointed by the United States will be invested with similar power and instructions, you will agree with him as to the necessary Articles to be furnished; which on your part you will procure in New Orleans, previous to setting out for the field, or at such other place as you may find more convenient; and you are hereby authorized to call upon the Commanding Officer of any Texian post or Garrison, nearest your rout, for such portion of the escort agreed to be furnished, as it may be incumbent on this Government to supply.

By the Act of Congress, authorizing the President to appoint a Commissioner to run the boundary line between the United States of America, and the Republic of Texas approved June 12th 1837, it is provided that there shall be paid to the Commissioner the sum of fifty dollars per diem from the time he may reach the point of departure on the Sabine River until said line shall be completed, which shall include all incumbent expenses, provided the whole expense of running said line shall not exceed three thousand dollars. In accordance with this provision the President has directed that the sum of three thousand dollars be advanced to you, in order that the necessary means be provided for entering upon your duties without delay; and I have therefore furnished

Col Dexter writes a draft on the Merchants Bank of New Orleans for that sum, which he will collect and pay over to you. The President directs me to say however, that should the unavoidable expenses of the work, together with a fair and liberal Compensation to those employed in its performance exceed that sum, he will not object to an allowance which will be sufficient to meet both, but it is desirable that the entire sum expended should not exceed the limit specified in the act of Congress further than is absolutely necessary to the accomplishment of the work

Lieut Col Dexter of the Army who is the bearer of your commission and this letter, is instructed to remain with you during the time you are employed in running and Marking this boundary, and in the event of your sickness, or the occurrence of any other Circumstance which might prevent your proceeding with it after having commenced your operations, he will continue it for you, until you shall be able to resume your duties, or until the whole shall have been completed.

I have the honor to be, Very respectfully,
Your Obed't Servant.
Nathl Amory, Actg Secty of State.

If Dr Jones attends at New Orleans for the purpose of assuming the duties of Commissioner, he will find his Commission as such, accompanying these instructions; and the Commission for Mr Sample will be returned to this Department. But if Dr Jones should not attend then Mr Sample will act upon his Commission and return the one for Dr Jones to this Department. If neither of those Gentlemen should attend, Col Dexter will act as commissioner himself, and will find his Commission accompanying the instructions.

Should Mr Smyth who is appointed Surveyor not attend at New Orleans, the Commissioner will not be required to delay his departure on the expedition on that account as Mr S. will join him at the mouth of the Sabine where the work is to be commenced. And if any circumstance should occur to prevent the attendance of Mr Smyth at all, the Commissioner is hereby authorized to appoint another competent person in his stead.

N. Amory

Fr.
P.S. Dexter. To Lieut-Col. P.B. Dexter.
Instructions
& Commission
relative to
running and
marking the
boundary
line between
U.S. & Texas.

Department of State Houston 24th July 39

Sir, I am directed by the President to hand you the accompanying package containing commissions and instructions for the Commissioner appointed under a Convention with the United States to run the boundary line between the two Countries and to request that you will proceed to New Orleans without delay and deliver it as directed.

If Dr Isaac N. Jones should be in New Orleans upon your arrival there, you will deliver the package to Dr. Jones, if you find him there, who will act as Commissioner under the instructions enclosed, and if neither of those Gentlemen are there, on opening you will then open the package, and will find a commission vested for yourself as Commissioner and you will proceed to discharge the duties

as such, pursueing the instructions which you will find for the Commissioner.

If either Dr Jones or Mr Sample should be there to act as Commissioner, and enter upon the duties as such, you will remain with him, until the work is Completed, so that you may in the event of his sickness, or any other accident intervening to prevent his prosecuting the work, go on with it until the obstacle shall have been removed, or the work is finally ended.

Should Mr Forsyth who has been appointed Surveyor not reach New-Orleans in time to meet the other officers, it will be unnecessary to delay setting out on that account, as he can afterwards join the party at the Mouth of the Sabine where the work is to commence his residence not being very distant from that place.

I also hand you a draft drawn by the President on the Merchants Bank of New Orleans for three thousand dollars, which you will collect and pay over to the Commissioner, taking his receipt for it, as it is intended for the expenses of the expedition, and a part of which he may require for the purchase of supplies previous to leaving New Orleans

I Am Sir, Very Respectfully
Your obed't Servant
Nath'l Amory. Acty Secty of State.

To-
A. P. Bee
Commissioner
to run & mark boundary line between Texas & U.S.

Department of State
Houston 24th July 1839

Hamilton P. Bee.

Sir, I herewith hand you your Commission as Clerk to the Commissioner to run the Boundary line between Texas and the United States, you will report yourself to the Commissioner in New Orleans by the first Monday in august.

Respectfully Yours
Nath'l Amory. Acty Secty of State.

To-
J. A. Start
(Sec of Treas)
relative to Draft on Merchant's Bank N.O.

Department of State, Houston July 24th 39

Sir, The President directs that $3.000 the Amount limited by the Act. Approved June 12th 1837 as Compensation to the Commissioner for running the boundary line between Texas and the United States, be advanced out of Monies placed by Gen'l Hamilton to the Credit of this Government in the Merchants Bank of New Orleans.

as Compensation to the Com'rs for running the boundary lines between Texas and U. States

You will please therefore furnish a draft on the Cashier of said Bank for the said Amount in favor of Lieut. Col Peter Bartelle Dexter or order payable at sight, who will receive instructions for the disposal of the same

Very Respectfully, Your Obt Servt
Nath'l Amory Acty Secty of State

Hon
James H. Starr
Secretary of Treasury.

To-
Cashier
Merchants

Department of State, Houston July 24th 39

Sir, I have the advise you that a draft has been drawn on you this day at sight in favor of Lieut. Col Peter Bartelle Dexter or order

Bank W.C. relative to draft drawn on Sd Bank

signed by the President and Countersigned by the Secty of Treasury for $300, which you will please pay out of any Monies deposited in your Bank to the Credit of this Government.

Respectfully your obt Servant
Nathl. Amory, Actg Secty of St

Cashier
Merchants Bank New Orleans.

Fo. Jas. Treat. invitation to call on State Dept

Department of State Houston July 24th 39

Sir, I Regret to inform you, that the President is on the Country too unwell to come in to meet you to day.

Should you feel disposed to call at the Department of State, it will afford me much pleasure to communicate with you etc —

Respectfully your obdt Servant
Nathl Amory Actg Secty of State.

James Treat Esqr.

Fo. J. Hemphill relative to Collecting Spanish laws & documents at San Felipe

Department of State Houston July 24th 39

Sir, You are hereby authorized and requested to call on any Civil Officer or other person at San Felipe, for any and all Spanish Laws or documents, which it might be useful to have deposited at this Department for examination, translation and publication.

You will give a receipt for the same, seal them securely and transmit them by first safe opportunity to the Secretary of State. with a copy of the receipt given

Respectfully Your Obdt Servt
Nathl Amory Actg Secty of State.

John Hemphill Esqr.

Fo- Wm. A. Hunt relative to Directions &c Universities

Department of State Houston July 26th 1839.

Sir, I am instructed by the President to direct you to proceed without any unnecessary delay to execute the Surveying of the fifty leagues of land as a reserve for Universities in accordance with an act of Congress approved 26th January 1839. And to that end you will first proceed to Bastrop where you will require for locating of the County Surveyor of Bastrop County Plats of all surveys recently made 50 Leagues in the North Western part of said County, and also for a Transcript of all entries of Land for or Locations which may have been made with the Deputy or Deputies of that Section, in the examination of which entries you will be particular to see if the corresponding Land Certificates have been filed and if they have been made otherwise according to law, and the instructions from the General Land office, as all such are to be respected as vested rights and are not to be interfered with. Having obtained the above information you will then proceed to Bexar County and require the County Surveyor of Bexar County the same information relative to Locations made in said County on the Alamo, San Saba and Colorado Rivers, as above required of the County Surveyor of Bastrop it being uncertain for which of the two Counties, the quality of the soil and other Circumstances will permit said reservation to be laid.

You will then proceed to the Alamo where, should you deem proper, you will locate and survey a tract of fifteen or sixteen Leagues, being governed by the quality of the soil and eligibility

Two other tracts making in all fifty Leagues you are to select and to survey on the San Saba or Colorado, as to you may appear most advisable providing that the whole fifty leagues shall be included in not more than three different tracts. The shape of each will depend much upon the situation of the streams and the individual locations; but if a tract should be situated on both sides of either of the Rivers before mentioned, you will first meander the same correctly, and then proceed to lay off the survey so as to have the length of it along the River three times its width, the River to run nearly through the centre lengthwise. If not laid upon any of these streams you can make them oblong to suit the situation of the land, in which case the length is not to exceed three times the width. ## #

You will also be particular to note down all streams over which the lines pass as well as to represent the same on the plats which, by the 5th section of the act above named, it is your duty to make, and return to the General Land Office with the field notes.

You are to use every exertion to accomplish this work as soon as circumstances will permit. And as there is a Company of Rangers on that part of the frontier, Your operations will be protected by their proximity and it may be consistent with their duties to accompany you in case you should find it necessary to proceed far beyond the inhabited districts. Your Compensation will be for this service seven dollars twelve and half cents per mile.

Respectfully Your Obdt Servt
North Armoy Actg Secty of State.

William H. Hunt Esqr, Surveyor.

You are to be particular in making the survey of each of these tracts to connect it with some known point, in order that its precise location may be seen by its representation on the map of the County in which it is situated.

To
Chas Justice
Refugio Co
Commission
Transmitted

Department of State
Houston, 1st August 1839.

Sir,

Enclosed you will receive a commission for Joel T. Case, as Justice of the Peace for your County, which you will please deliver, after his compliance with the requisitions of the laws in taking the oath of office

Your Obt
Chief Justice of Refugio County

Very respectfully
Your Obt Servant
N. Amory, Actg Sec. of State

To
Wm H. Hunt
Surveying
Nature

Department of State
Houston August 3d 1839

Sir, I am apprized by the Hon. David G. Burnet and just returned from Nacogdoches County that while there he made arrangements with the County Surveyor to have ten of the fifty Leagues of land for Universities appropriated for purposes of Education, surveyed in that County as he ascertained a very advantageous selection could be made of that quantity.

You will therefore instead of 50 Leagues mentioned in your

instructions of 26th ultimo survey only 40 Leagues;— but in all other respects be guided by said instructions as if the number 40 had been originally inserted

Very Respectfully Your obt Servt
Nathl Amory Actg Secty of State

Wm H Hunt Esqr, Surveyor,

To
E Waller—
Relative to
Communication
for W H Hunt
Surveyor

Department of State
Houston August 4th 1839

Sir, I enclose for Mr Wm H Hunt, Surveyor some highly important communications from this Department, which in the event of no opportunity offering soon after its receipt, you will please send him by express,

Respectfully
N. Amory, Chief Clerk Dept State

Edwin Waller Esqr
or Mr. H. Beaty Jr.
or the Post Master at Austin

To
2nd Auditor
Relative to
accounts of
Mussr. Eldredge
for recording
Journals H of
Repr &c &c

Department of State Houston Augst 5th 1839.

To the Second Auditor Musgrove Evans Esqr.

Sir, Im explanation of the two accounts approved this day, one in favor of Mr A. W. Eldredge for $64.40 and one in favor of Mr A. C. Eldredge for $45 50/100 I would observe. That Congress authorized the former to record the Journal of the House of Representatives of last session— Rather more than one half was recorded by him in one book, (which finished that book) and was returned to this Department, this was copied and sent to the printer, the printer printed the same and applied to the Department for more copy, (which not being able to furnish, the residue of the Journal not having been recorded) I made the following arrangement with Mr A. C Eldredge (who informed me he was employed by his brother to finish the work) Viz

Instead of recording the rough Minutes of the residue of the proceedings into the book, he should copy the same for the printer and be allowed the same as if recorded, and I would employ another person to record from the printer copy to be considered copy furnished printer. Mr A. C. Eldredge did part of this last also, and Mr C. M. Buckley is now completing it out of office hours, and when finished the bill to be approved at 2o cts per hundred words, as if copied for printer.

The arrangement was necessary to expedite the work, as frequent enquiries were made why the journal was not published

N. Amory, Actg Secty of State.

Houston August 6th 1839.

Republic of Texas.

To.
J. D. Cortes
appointment
as Consul
Port of
Natchitoches

Department of State Houston March 8th 1836.

Sir, I herewith transmit to you the appointment of Consul of the Republic of Texas for the Port of Natchitoches in the United States of America.

You will see by the accompanying resolution that this Government has, with a few exceptions, adopted the Consular System of the United States

For general instructions I refer you to Vol 2d, page 430 of Elliots Diplomatic Code. you will be governed by these instructions till others shall be received observing at all times the provisions of the joint resolution above referred to.

The passport system has been abolished with a view of affor=ding every possible facility to emigration

You will please notify this Department of the acceptance or non=acceptance of the appointment

With great respect I have the honor to be
Your obedient Servant
R. A. Irion, Secty of State.

John F. Cortes Esqr
Natchitoches La

To
J. Woodward
relative to the appointment of Consuls
Ports Philadelphia Baltimore. Mobile & Natchitoches.

This letter entered in Book No 2 on page 23 and was mislaid

Department of State
Houston, March 20th 1838.

Sir, I am directed by the President to inform you that this Government has deemed it expedient to appoint the following Consuls.

John L. Hodge, for the Port of Philadelphia, Henry Williams for the Port of Baltimore, George Dobson for the Port of Mobile and John F. Cortes for the Port of Natchitoches La.

The late session of Congress passed a resolution adopting, with some exceptions, the Consular system of the United States, a copy of which I forwarded to you shortly after its passage. I hope you have received it.

The great solicitude which this Government feels on the subject of emigration induced it to abolish the passport system.

I have the honor to be, Sir,
With great respect, Your Obdt Servt
R. A. Irion.

Hon. John Woodward
Texian Consul, New York.

To
H. Williams
appointment as Consul Port of Baltimore

This letter entered in Book No 2 on page 23 and was mislaid

Republic of Texas, Department of State.
City of Houston March 20th 1838

Sir, I herewith transmit your appointment as Consul of this Republic for the Port of Baltimore in the United States of America.

You will see by the accompanying resolution that this Government has, with some exceptions, adopted the Consular System of the United States. For general instructions I refer you to page 430, Vol 2d of Elliotts American Diplomatic Code; by which you will be governed until further instructions shall be received; observing at all times the provisions of this resolution above referred to.

As early as convenient you will please (notify) this Department of your acceptance or Non-exceptance of the Appointment.

Your friendly feelings with regard to the cause of Texas, which are well known and appreciated in this Country have occasioned your appointment without having previously consulted your disposition on the subject.

The passport system has been abolished for the purpose of affording every possible facility to emigrants.

I have the honor to be, Sir, with great
Respect Your obedient Servant
R. A. Irion
Secretary of State

H. Williams Esqr
Baltimore Md

To
N. Townsend
Relative to
granting
leave of
absence &c

Department of State
City of Houston April 11th 1838.

Dear Sir,

It is with pleasure I acknowledge the receipt of your favor of the 23d March last, and am gratified by having it in my power to oblige you by granting permission to leave your post for the space of time you request.

With sentiments of consideration and respect
I am, Your Friend and obdt Servant
R. A. Irion, Secty of State.

Nathane Townsend
New Orleans

To
Wm Bryan
requisition
for
Stationary
&c

Department of State
Houston August 2d 1839.

William Bryan Esqr
Texian Consul, N. Orleans

Sir You will please procure on as favorable terms as possible the list of articles herewith, and forward them to the Collector Galveston, for this Department by Mist Columbia, and your account will be adjusted with your partner here, (Mr Hall)

By order of the Secretary of State
N. Amory Chief Clerk.

Requisition for State Department.

One Gross of Ink, (Stevens Writing fluid) 6 reams stout ruled paper for Enrolling bills in Congress, this should be very large and if possible similar to the kind used in the United States. 12 Bunches lead pencils best quality, 100 Ink stands Com, Cork. 3000 pretty good quills 100 cards good Steel pens, (the best quality) 10 reams ruled foolscap paper, 50 Com Candle Sticks, say tin Japaned, 5 Boxes good Sperm Candles, 100 Com- Japan'd Sand Boxes, 1 doz desk Knives, Rodgers & sons Best, 2 Super- Royal 8 quire half bound in Russia, Record Books, 2 Cap Books 6 quire each double rea lined through the ~~Middle~~, Centre. 12 doz papers Sand 100 Large sheets parchment.

To
Charles
Lockh ark
Relative to
locating
forfeited lands
for the purpose
of Education

Department of State
Houston 22d August 1839.

Charles Lockhart Esqr

Sir, I have this moment received your Letter of 5th Inst in which you say there are some valuable tracts of land in Dewitts Colony that have been forfeited, and enquiring whether it is proper to locate them for purposes of education.

I cannot answer your enquiry without knowing the grounds of forfeiture, presuming from the tenor of your letter that they never have been legally declared forfeited. I am exceedingly anxious to have all the land, appropriated for the important purpose of popular education located as soon as possible, supposing that the earlier it is done, the better quality of land will be had. But I am unwilling to involve the Country in a legal Controversy on this subject.

If the Lands you speak of as forfeited are clearly and indisputably Vacant, or if the titles heretofore made to them are certainly voidable for non compliance on the part of the grantees, then I would recommend you to locate them. But if they are in a doubtful condition I should

esteem it better to leave them.

It is much better to locate within the County than out of it and I would prefer good Prairie well watered within the County, than a more eligable tract beyond its borders.— Your speedy action in this subject is requested and I would advise you to consult freely with the Chief Justice in all matters connected with it.

I have the honor to &c, Your Obdt Servant

David G Burnet, Actg Secty of State.

To
M. H. Beaty.
appointed
agent
relative to
the removal
of the Govt
Archives &
furniture
from Houston
to Austin

Department of State
Houston 22d August 1839.

Sir

You are hereby appointed agent to procure Teams for the removal of the Government Archives and Furniture from Houston to Austin the form of Contract to be made as follows.

Contract between M. H. Beaty agent for employing teams to remove the Archives and Government furniture from the City of Houston to Austin the new Seat of Government, and " — " — " — " —

It is hereby agreed on the part of said " — " — to furnish, at the City of Houston on the 10th day of Septr next, — good and substantial — waggon and team that will transport " pounds freight. the waggon to be well covered, so as to effectually preserve the lading from damage against the weather or other cause, and to have said waggon and team, and appurtenances in complete readiness to depart for the city of Austin on the said 10th of Septr next with " pounds freight for the Government of Texas.

And it is hereby agreed on the part of the said M. H. Beaty, Agent as aforesaid for and in behalf of the Republic of Texas, that for and in consideration of the transportation of the said " pounds of lading or as much as may be conveyed to the said City of Austin, the above named " — " — shall have and receive of the Government of Texas $ " per hundred pounds of the Promissory notes of the Govt; and it is further agreed on the part of said M. H. Beaty, Agent aforesaid that for and in consideration of any delay in removing after the 10th day of September next, caused by the Government of Texas, the said " — " — shall have and receive as aforesaid $ " for each day he may be detained, as compensation for his loss of time &c.

In testimony whereof we have hereunto set our hands and seals this " day of " 1839.— (Seal) (Seal)

As regards the price for teams and demurage you will get them as low as possible, but in no event contract with persons who you do not consider responsible. It is highly important that you should finish the buiness entrusted to you as promptly as possible. You may Contract for 35 Teams to be here by the 10th of September, and should 5 days more be required for a portion, you may say the 16th for a small part of them.

Your Compensation will be ten dollars per diem for the time you are employed.

Respectfully Your Obt Sert
David G Burnet.

M. H. Beaty Esqr.

To
H. Vansickle
relative to
locating 5/10 of the 50
Leagues of
Land for
Universities

Department of State
Houston 23d August 1839

Capt H. Vansickle,

Sir, Some time ago, when I had the pleasure to see you in camp, you told me that you had the field notes of ten Leagues of land located in the region of country lately occupied by the Cherokee Indians, and at my request you promised to turn over to the Government to be applied to the endowment of the two Universities to be hereafter established.

During my late absence from the Department Wm H. Hunt Esqr was appointed to locate and survey the whole fifty Leagues of land appropriated to the great object and he has proceeded to the North West in the execution of his duties. Since my return he has been informed of my arrangement with you, and requested to locate only 40 Leagues.

You therefore perceive that the Government relies on your promise, and I hope you will lose no time in carrying it to completion. It is desirable on many occasions that this rich ~~County~~ endowment for the future education of our Youths be so distributed as to confer its resulting advantages on the two grand Geographical divisions of our common country, that the east and the west may participate in them.—

Your early attention to this interesting subject will confer a special favor on me and an essential benefit to the Country

I have the Honor to be,
Your Obdt Servant
David G. Burnet
Acting Secty of State.

P. S. Your compensation will be the same proportionally as is paid to Mr Hunt.

To
J. W. Burton
letter
enclosed to Capt Vansickle

Department of State
Houston 23d August 1839

Hon Isaac W. Burton.

Sir, Enclosed you will find a letter to Capt Vansickle, which you will please have conveyed to him. I transmit it to you for perusal and in order to enlist your good offices in having the object of it effected as soon as possible.

I need say nothing to you of the vast interest to our immediate successors on the stage of life that is involved in this business, and I know that an appeal to your patriotism would be superfluous.

Very Respectfully Your obdt Servant
David G Burnet Acty Secty of State

To
J. G. Wright
relative to
running the
boundary
line between
Texas & U S

Department of State
Houston August 23d 1839

J. G. Wright Esqr.

Sir, The Secretary of the Treasury has transmitted to me for perusal, your letter to him of 3d Inst, and I feel constrained to trouble you with some remarks upon its interesting Contents.

The President has learned with deep regret, the disquieting condition of the public mind in your county; and the due sincerity of deplore that circumstances have so intervened as to render it impossible without producing, in all probability a still greater evils to apply any adequate and immediate remedy to the causes of uneasiness. You

your fellow citizens of Red River County will recollect that the Convention between this Government and that of the United States, by which this Government agreed to abstain from exercising jurisdiction over the Territory over which the United States had theretofore exercised jurisdiction, was made on the 25th April 1838 and consequently anterior to the present administration coming into office.

The universal impression here, has been that the Federal State of Arkansas had continuously exercised jurisdiction over all the Territory comprised in what they denominate Miller County, upto the time that Convention was made. The Proclamation of President Lamar of 3d June 1839 was merely declaratory of the terms of that Convention, and could not be constituted, by any legitimate rule of interpretation whatever to amplify or vary its provisions in the slightest degree. That proclamation was issued in consequence of representations emanating from your County, that there was great danger of a serious conflict of jurisdiction between the Authorities of Arkansas and those of the County of Red River. Such a conflict had it progressed to extremity, would necessarily have involved a collision between the higher powers of the United States and of Texas; and you are certainly not unprepared to hear that the President did not esteem it wise or prudent to permit such a calamity, while he had the constitutional power to prevent it. And the more especially, as the preventive could be effected simply by the re-promulgation of a treaty made and published by his predecessor in office.

Every thing has been done that was practicable, to have the boundary line run. Preparations were commenced last summer and the appointment of Commissioner was tendered to three several Gentlemen in different sections of the Republic, before any thing was heard from your county on the subject. In offering the appointment to Doct J.H. Jones, (which was done previous to the recommendation from the County of another gentlemen was received,) the President was actuated in part by the favorable impressions which a slight personal acquaintance with him here made, by the fact that he was a resident of the County most directly interested — and by the important consideration that he was the Representative of that County in the Congress of the Republic. These were thought competent reasons for conferring the appointment upon that Gentleman, who appeared willing to feel a deep interest in having the line run as expeditiously as possible.

We do sincerely exceedingly regret that any fruitless delay should have transpired in relation to the running of that line, and your fellow citizens will do great injustice if they impute to the President or to any member of the Cabinet any want of zeal and especially of good faith in this respect. For evidence effectually to avoid delay, the President appointed Col Dyer, a gentleman of high character, to repair to New Orleans to attend to commissions, in the event that Doct Jones now

Mr Sample should be there in season to organize the Commission. Col Austin did meet the Commissioners of the United States & they formally organized the Commission - but for some cause operating on the Commissioners personally and without the knowledge of this department, they adjourned in New Orleans, having made the necessary preliminary arrangements, to meet again at the mouth of the Indian on the 15th October, then and there to commence their operations.

I trust the work will soon after that be completed and that the Citizens of Red River County, whose patience we are sensible has been much tried, will be relieved from all cause of disquietude growing out of this Matter

I have the honor to be very respectfully
Your and your Most Obdt Servant
David G Burnet. Actg Secty of State

Executive Department
Columbia 26th Oct 1836.

Messrs T. Toby & Brothers

Gentlemen, I enclose you letters addressed to Capt Brown and Capt Hunt. You will please forward them to your Sub-Agent at New York unless you are aware that those Gentlemen have changed their position since our last advices. It is very desirable to have our little Naval Force once more at home, and to confer with the Officers in command prior to the adoption of new measures, or the formation of new plans

To T. Toby & Bro
Letter forwd to Naval Officers

Your Obdt Servt
(Signed) Sam Houston.
President.

Executive Department
Columbia 27th Oct 1836

Messrs T. Toby & Bro

Gentlemen, You will find in the packages addressed to you from time to time, letters addressed to different individuals residing in different parts of the United States. These request may be forwarded to their destination without delay, and all letters &c which may be intended for Texas be sent to this place for distribution, as it has been difficult to ensure to the volunteers and other new Citizens a certain and convenient transportation of their letters.

To T. Toby & Bro
Relative to forwd letters to & from Texas

You will be pleased to give public notice that you will hereafter transmit all letters directed to Texas if the same are sent to your post paid. And if Convenient you will make arrangements to that end with your post office

(Signed) Sam Houston, President.
By John Rhea Private Secty.

Executive Department
Columbia 27th Oct 1836

To
T. Toby & Bro

Thomas Toby & Bro, Texas Agents

Gentlemen, I would call relative to your special attention to the subject of our Schooners now in New York

The Schooners Invincible and Brutus

The Invincible and the Brutus are at present both absent and without orders from this Government. The former indeed was ordered thence to refit by my predecessor in office, but he has since disobeyed an absolute injunction to return and report. The Brutus absented herself in the night without leave or licence from the proper functionaries, and has brought upon us a species of discredit which cannot be slightly overlooked.

Conduct of Commanders

I have received positive information of her in New York, and that she is hypothecated to meet the payment of 4225 ℔ by her Commander without instructions to that effect from this Government. This is a dereliction from duty and a contempt of authority which merits the highest reprobation. And I desire you to ascertain if possible any circumstances connected with his conduct which will hereafter aid an investigation of the whole matter, taking care not to awaken his fears.

If you can influence his immediate return and hasten that of Capt Brown I shall be highly pleased. They are embarrassed for the want of funds, and I fear that unless some means are speedily adopted they will be subjected to great difficulty and long delay. Scrip cannot be used to discumber them. That means of raising funds you will consider at an end, and Congress is in active deliberation about other sources of revenue. Still they must be relieved and if any reasonable advance could be made on the faith of this Government to enable them to return it would be highly gratifying.

I wish you would write to your Sub Agent in New York on this subject and advise suggest to him the most politic course of action which your knowledge of money matters there will enable you to devise.

Yours &c.

(Signed) Sam Houston

Executive Department
Columbia 29th Oct 1836

To-
A. Moreland

Maj Isaac N. Moreland

Sir, You are ordered to proceed without delay to Galveston, and assume the Command of that important post. It will therefore become your duty to be punctual and attentive in the discharge of your duties as such Commanding officer, and from time to time to report to the Department of War for this Republic. You will give instructions to Quarter Masters to make proposals for provisions, Cattle, and other needful things, To provide for Post, Depot Prisoners, Any pleasure or the Orders which may come to you from said Department.

To provide for Post Depot Prisoners. You will give instructions to Quarter Masters to make proposals for provisions, cattle and other needful things. You will apprehend any prisoner suspected of endeavoring to escape.

To
J. Toby & Bro.

Executive Department
Columbia 1st Nov. 1836.

Messrs J. Toby & Brothers
Gen.

Gen. Will given enclosed a letter
Gen. dispatches addressed to Hon. James Collinsworth, which I desire to have sent to him
instructions at Washington D.C. with all despatches.

The Cabinet is fully formed and consists of Stephen F. Austin
Secty of State, H. Smith Secty of Treasury, Thomas J. Rusk Secty of
War, S. Rhodes Fisher Secty of Navy & James Collinsworth Attorney
General.

You will correspond with the Secretary of State in future as
your duties will come more immediately under his supervision, and
when occasion may require it with the other heads of Departments.
If anything transpires which you choose to make known to me
immediately I hope you will not withold it.

I shall be pleased at all times to hear from you, and to
receive all public intelligence which you shall think proper to send.
And in my turn will take the liberty to address my correspondence
to you for transmission as heretofore.

Your Obedient Servant.

To
N. Lynch
relative to his
assuming the
duties of
2nd Judge

Executive Department
Columbia 1st Nov. 1836.

Hon. Nath. Lynch,

Sir,

The existing laws are in force
until the enactment of other laws by the Congress. I am informed
that Judge Legate is to be indisposed as First Judge to discharge his
duty. In that event you will assume as second Judge the duties
of your office, and discharge them impartially and faithfully.

I regret to hear that any thing irregular should occur at
this time, and I do solemnly enjoin on all good citizens, an
observance of the existing laws. If abuses have existed heretofore, they
will be remedied, and all wrongs redressed. No man shall take
the laws into his own hands; and he who attempts it will be
punished by the sentenced of the laws which he has abused.
Good Citizens will be proud to obey the laws, and honest
judges will administer them with justice and impartiality.

Let justice be done, but no violence, as all citizens are
under the mantle of the laws, and shall be protected.

Your obedient Servant
(Signed) Sam Houston.

To
J. Toby & Bro.
relative to the
revocation of

(Private)

Executive Department
Columbia 3d Nov. 1836

Messrs J. Toby & Bro.

Gentlemen.

I enclose you a revocation of the Proclamation of Blockade of the Port of Matamoras &c. made by the late ad interim Govt.
You will please have the same published for three successive days
in the Commercial Bulletin, The True American and El Correo Atlantico, of your
City; so that full publicity may be given to this important measure.
We do not wish to encumber the lawful trade of

of the Blockade of this Port of Matamoras

our Neighbors. Liberty and Peace are the objects for which we are contending.

With kindest regards
I am truly your Obdt Servt
(Signed) Sam Houston.

To
Messrs T. Toby & Bros

Executive Department
Columbia 6th Nov 1836.

Gent. Your interesting letter of 22d ultimo has come to hand too late to be included in the package of answers from this Department to you. The letters you have done me the honor to forward, and the gentlemen you have introduced have received my attention so far as is deemed practicable.

You are authorized to issue scrips to any individual with whom you may have come under any engagement to do so by virtue of the orders of my predecessor in office, And for that purpose you will please consider the orders heretofore issued to and accepted by you as still good.

Our Stationery &c has not yet been heard of, And it is desirable to have them sent to us as soon as possible, inasmuch as we are nearly destitute of the means of transacting busines. I have sent you a list of blank books required for my office, I hope you will give them the earliest attention

Your obedient Servant
Signed Sam Houston.

Relative to issuing Scrip — Stationary &c &c

To
T. Toby & Bros

Executive Office
Columbia 17th Nov 1836.

Gent. Your several last letters have been duly delivered to the Secretary of State for his reply, and you will instructions shortly receive despatches from him. The Secretaries of the Navy and for future of War are apprised of so much of your communications as pertain to Correspondence their respective departments.

I would remark that it would be most convenient in future Books &c, to receive distinct letters upon the different subjects, whether Civil, Military Naval or financial addressed to the appropriate Departments, and that would render the busines of each Department more intelligable.

Stationary &c

I cannot omit again calling your attention to the list of books wanted for this office. They are of the utmost importance and I hope you will leave no measures untried to procure and forward them. Our Stationery too is reduced to the scantiest allowance, You will therfore see the importance of a speedy supply.

Signed, Sam Houston

To
Wm Geo Browning

Executive Department
Columbia 8th Dec 1836

Sir, Your letter with its inclosures, W. Browning has reached me, and it is only needful to say, that the busines to which

Relative to Military doings &c

it refers, has all been disposed of. The absence of Col Smith from his Post, was sufficient to vacate his situation and require, that another should be placed in it. It is a rule in Military service, that no officer should leave his Post to which he has been assigned without leave from his superior. Col Smith has none, therefore abandoned his Post! The troops at that point have been disbanded, except Capt Jewells Company, and that placed under orders for the main army; Unless complaints of misconduct should cease, and duty be attended to as ordered by me; a boat and block houses, completed, which should have been done in ten days from the time the order was issued for the duty. No troops who neglect duty, or are guilty of mis-conduct can expect a reward from the Republic. Like individuals it will pay for benefits, if rendered. But disobedience of orders, will destroy any Army, and ruin those whom it ought to defend.— My Orders were very explicit.

Hereafter, no Soldier, who does not obey orders, and obtain an honorable discharge, will be entitled to any bounty in land or to the rights of Citizenship. If he depredates on the rights of Citizens, or their property, or is guilty of insubordination, it will be a bar to his claims; and the officers will be bound to state these facts on the face of his discharge. A Soldiers greatest pride should Consist, in the manly and faithful discharge of all his duties. Obedience is the first; and bravery in the face of an enemy the next.— One, enables him to render the other, successful and glorious to himself, and beneficial to his Country.

Yours &c.

Sam Houston

To Genl Felix Houston

Genl H. Houston Commanding Army

Copy of letter transmitted

Sir, I transmit you the above copy of my letter, to Mr Browning because the principles contained in it, are the same which I require of the Army.— And you will therefore see them enforced in the Army in future.

To W. H. Harden relative to the arrest of persons aiding Mexican Officers (Prisoners) to escape &c

Department of State
Columbia Dec 16th 1836

In reply to that part of your letter of 9th Inst in which you report the arrest of four persons charged with aiding the Mexican Officers to escape, I am directed by the President to instruct you not to send said Prisoners or any others who may be arrested on the same charge, to this place, and to try them by means of a jury who will find the facts and fix the punishment to be inflicted on them should they be found guilty.— You will cause all the evidence to be taken down in writing, and forward the same and a report of all the proceedings in the case to the department of State to be laid before the President, retaining the Prisoners in close custody until the final decision of the President is communicated to you

Respectfully Your Obed Servt
S. F. Austin
Sec. of State

Judge W. H. Harden
County of Liberty.

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To
A.S. Johnson
relative to his
returning

Executive Department.
Columbia 22d Dec 1836.

Col A. Sidney Johnson.

Sir, It is highly important both to your own and the general interests of Texas that you return without assuming the delay and assume your Military duties, as you are now in date of nomination and doubtless will be commissioned to the highest Office of Brigadier General.

I would therefore advise you to loose no time in repairing to your post.

Respectfully Yours &c

(No Signature)

To
G.W. Ward
relative to
the rejection
of C. Joys

Department of State
Austin 16th Oct 1839

G.W. Ward Esqr

Sir, In the absence of the Secretary of State I take upon myself to reply to your enquiries, whether Consular the Bond of Cyrus Joy Esqr Consul for the Port of Philadelphia Bond has been received at the Department and is satisfactory

It has been received and I doubt not will be deemed fully sufficient by the Secretary of State, to whom I shall submit it on his arrival here.

Very Respectfully, Your Obt Servt
Nathl Amory
Chief Clerk Dept State.

To
the President
of Texas.
Letter
submitted

Department of State
Austin 18th Oct 1839.

Sir, Understanding there is to be a Cabinet meeting this evening, In the absence of the Secretary of State I submit the enclosed letters, One from Genl Henderson, one do — from Col P. B. Dexter

Respectfully Your Obdt Servt
Nathl Amory
Chf Clk Dept State.

His Excellency
Genl M. B. Lamar.

To
B. Buckner Chf Dist Ct
Harris Co
Commission
transmitted

Department of State
Austin 21st Oct 1839

Sir, I am instructed by the President to enclose you this Commission and desire you to act under it until one can be sent you with the signature of the Secretary of State, who being at present absent from the Capitol, the President also directs me to sign it in the capacity of Chief Clerk.

We are unacquainted with your Middle name which you will please insert.

Respectfully Your Obdt Servt
Nathl Amory
Chf Clk Dept State

Hon
Benjn Buckner
Chief Justice Harrisburg County.

To
C. Justice
Harrisburg Co
Commissions
transmitted

Department of State
Austin 23d Oct 1839

Sir

I herewith enclose Commissions for 15 Justices of the Peace elected 24th August last, according to the return of Chief Justice Humphreys of 14th Ultimo. Viz,

Thomas McDonald, Enoch Baumstone, Joseph A Parker, Wallace, F. Hunt, J.G. Welschmeyer, D. B. McConnel, Charles B. Tanger, James M. McGee, D. M. Babcock, E.A. Darel, George Fisher, A Deering N. B. Howe, John Carlos.

Which you will please have delivered after they are duly qualified

Respy Your Obt Servt
N. Amory, C. Clk Dept State.

Hon. Benjm P Buckner
Chief Justice, Harrisburg County.

To
C. Justice
Bexar Co.
Commissions
for J. Peace
transmitted

Department of State
Austin 23d Oct 1839

Sir, Enclosed are eight Commissions for the justices of peace elected 15th August last according to your return dated 23d same month as Follows, J. A. Mavericks, Rafael Garza, District No 2— E. Patton, Dist No 3— Francisco Bustillo, Francisco Anto. Ruiz, Dist No 4 Juan Antonio Varutia Dist No 6. Pedro Flores Montez, Domingo Diaz Dist No 7.

Which you will please delived to them as soon as they shall have been duly qualified according to law.

Very Respectfully Your Obt Servt
N. Amory. C. Clerk Dept State.

Don Erasmo Seguin
Chief Justice Bexar County.

To
H. Millard
Jf Justice
Jefferson Co
Commission
transmitted

Department of State
Austin 23d Oct 1839

Sir, Enclosed are two Commissions, One for George M. Tevis, Sheriff, and Joseph Hutchinson Coroner, of your County which you will please have delivered to them when they shall have given bond, and taken the Oath according to law.

Respectfully Your Obt Servt
N. Amory C. Clk Dept State.

Hon. Henry Millard
Chief Justice, Jefferson County.

To
C. Justice
F. Bend Co
Commissions
for J. Peace
transmitted

Department of State, Austin 22d Oct 1839

Sir Herewith I enclose the Commission of John Levering Justice of Peace elected 20th July last.

Respectfully Yours
N. Amory, C. Clerk Dept State

Hon. Wyley Martin
Chief Justice, Fort Bend County.

To
C. Justice
Bastrop Co
Commissions
forwd

Department of State, Austin 22d Oct 1839

Sir, I enclose Commissions for Jesse Lee, John Haynie, Nan Chamberlain, elected justices of Peace for your County 27th May last, which have thro delivered to them if duly qualified

Respectfully Yours
N. Amory C. Clerk

Hon. L. C. Cunningham
Chief Justice

To
S. H. Menifee
Resignation

Department of State
Austin 25th Oct 1839

Sir,

In the absence of the Hon. D. G. Burnet Secty of State & Co. Clerk, the President directs me to say, that he accepts your resignation of the Office of County Clerk.

But the Chief Justice is the person to address yourself to in this case, in order that he may have an election held to fill the vacancy

Very respectfully, Your Obdt Servt
Nathl Amory C. Clk Dept State.

To S. H. Menifee
Texana, County of Jackson

To
C. Justice
Matagorda
S. D. Gervais
C. Justice
et al certain
date &c

Department of State, Oct 28th 1839 Austin

Sir,

A document was presented to me this day signed by Matagorda as Chief Justice Sinclair D. Gervais on the 30th March 1837 requiring a certificate relative to that he was Chief Justice at that date.

The only evidence of his appointment we have in this office having been is a letter from the Secretary of State to Mr Gervais dated in August '37 informing him that enclosed was his Commission, not naming its date.

My object is to obtain through you a Certified Copy of his Commission and appointment, until I have which I cannot give the certificate that he was acting prior to August '37

Your attention to the foregoing will much oblige
Your Obdt Servt
N. Amory C. Clk Dept State

Hon Silas Dinsmore
Chf Jus Matagorda County

To
President
of Texas

Department of State, Austin Octo. 29. 1839

Sir, I have the honor to transmit herewith &c. with a list of Civil appointments made since the last session of Congress.

Respectfully yours Obt Servt N. Amory Chf. Clk

Appointments made by the President pending the confirmation of the Senate as registered in State Dept

Date of appt	Names	Offices.
1839.		
Jan'y. 23.	John T. Mills	Judge of the Third Judicial District
28.	David Holt	Notary Public Brazoria County
Feb. 1.	Lemuel W. Eddy	" " Jefferson "
	Geo. A. Pattillo	" " " "
"	Joseph B. Brown	Consul Key West.
"	Walter Smith	" Mobile
"	Com. P. Coyche	Chief Justice County of Sabine.
"	Nicholas Griffith	Notary Galveston.
"	Hugh Morrison	" Montgomery County.
" 18	Ezekiel W. Cullen	Judge 1st Judicial District.
" 20.	Barnard E. Bee	Agent &c to Mexico
March 1	Com. P. Miller	Chief Justice County of Victoria
" 8	Willard M. Adkins	" " " Colorado
" 12	Sam. A. Roberts	Secretary Legation Washington.

Date of Appt.		Names	Offices.
March	"	Geo. L. Hancken	Secretary of Legation to Mexico
	13	Richd. G. Dunlap	Minister to United States.
	19	John G. Brooke	Chief Justice County of San Augustin.
	20	Thos. H. McIntire	" " " Jackson
	22	Fred. W. Ogden	District Attorney 1st Judicial District
	29	Joel T. Case	Notary Public County of Refugio
May	1.	Wm. Hart	Chief Justice County Nacogdoches
		Geo. W. Adams	Notary Public County Harrisburg
		Jas. Campbell	Chief Justice " Gonzales
	2	Louis P. Cook	Secretary of Navy
	13	Wm. Mayes	Notary Public Jasper County
		Wm. Byrne	" " Refugio "
	25	Jas. H. Starr	Secretary of the Treasury
	30	Jas. Webb	Attorney General
	31	Musgrove Evans	Second Auditor
June	25	Cyrus Toy	Consul Philadelphia
	27	Andrew J. Fowler	Chief Justice Red River County
	28	John Collins	" " Houston County
July	1	John S. Evans	Notary Public Galveston "
"	3	Sam. P. McFarland	" " Jasper "
"	10	Geo. B. Atkins	Chief Justice Harrison "
"	23	Hugh B. Johnson	" " Liberty "
"		Thos A. Dexter	Consul Boston
"	24	David Sample	Commissioner to fix boundary line between Texas and United States.
"		Geo. W. Smyth	Surveyor Do.
"	"	Hamilton P. Bee	Clerk Do.
"	"	Danl. J. Toler	Chief Justice Washington County
"	"	Martin Parmer	" " Jasper "
Aug.	16.	Chas. Mason	First Auditor
	22	John R. Reid	District Attorney 2nd Judicial District
Sept.	5	Chas. S. Taylor	" " 5th. " "
"		John Scott	Judge 2nd " "
"		Benjn. P. Buckner	Chief Justice Harrisburg County
Octo.	21.	Joseph Moreland	Stock Commissioner
"	25	Robert Johnson	Chief Justice Galveston "
April	"		

Austin, Octo. 29. 1839. N. Amory Chief Clerk State Dept.

To—
I. D Gouges,
& VanNess &c)
granting
respit to
Juan Galvan
horse
stealing

Executive Department
Austin 29th Oct 1839

Gentlemen,

Enclosed I hand you a copy of the petition presented to me in behalf of Juan Galvan asking for his pardon from the sentence which had been passed upon him for horse stealing. With such a representation of facts before me and supported by such an array of names, some of which I knew personally to be highly respectable, I should not have felt satisfied had I permitted an immediate execution of the sentence passed upon the prisoner without affording him time to obtain

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the mitigating circumstances alledged in his behalf. The recommendation of the Jury to Mercy would of itself seem to imply that there were circumstances connected with the case which required the interposition of the Executive Clemency. I cannot regard such a recommendation as mere form, as it appears to me that it is made by the Jury under the solemn obligations of the oath which they had taken as much as the verdict which they rendered in the Case.

In granting the suspension of the Execution of the sentence, I had, by no means made up my mind to pardon,- that would depend upon such further information as might be received, and I will here add that the circumstances of Mitigation which would induce me to pardon in a case of this kind, (where the policy and interests of the Country are so much opposed to the too great exercise of leniency) must be strong and well established, but to close the door to Mercy so speedily, without an opportunity of enquiring whether it might be properly extended or not, seemed to me to be a harsh enforcement of the law, and such an one as does not comport with my ideas of human charity. Believing that I shall have made up my mind upon this subject at a much earlier day than that indicated in the respite, I will so soon as I have done so, notify the Sheriff of Bexar County. Whilst I would avoid unnecessary delay in the execution of Justice I must guard against deciding too precipitately against the claims of Mercy.

I Am Gentlemen

Your Obdt Servt

Mirabeau B Lamar

To

S. D Generes, C. Van Ness & others.

Signers of Petition against the reprieve or pardon of one Juan Galvan Convicted of horse stealing at Oct Term of District Court 1839 (dated Bexar Oct 28th 39)

To

Sec of Treasury,

expenses of

the several

Depts of

Govt for

1841.

Submitted

Department of State

Austin 30th Oct 1839.

Sir,

In obedience to the Call on yours of 28th inst, I submit the accompanying estimate of the expenses of the several Departments of the Government for the year 1840.

Respectfully Your Obdt Servt

N. Amory, C. Clk Dept State

Hon

James C Starr

Secty of Treasury.

Estimate of the expenses of the several Departments of the Government for the year 1840, based upon the supposition that the currency in which they are paid will be at par. to the extent of the purchases necessary to be made in N Orleans

Executive			
Presidents Salary	10 000	00	
Private Secretary	2 000	00	
Stationary, Fuel & lights	800	00	12800 00
State Department.			
Salary of Secretary	3 500	00	
Chief Clerk	2 000	00	
other Clerks	3 900	00	
Amount forward	9 400	00	

Amount brought forward			
Stationery, fuel, lights &c	9400	00	
Printing	1000	00	
Foreign Agents, Ministers & their Secretaries	10000	00	
Superintendant of offices & 3 porters	56000	00	
	4000	00	80400 00
Congress.			
House of Representatives			
Pay of 38 Members 120 days a 5#	22800	00	
" " Speaker " " a 7#	840	00	
" " Sergeant at Arms " " " 5"	600	00	
" " Reporter " " " 8"	960	00	
" " Door Keeper " " " 5"	600	00	
" " Chaplain " " " 5"	600	00	
" " Clerks " "	3000	00	
Printing	3000	00	
Interpreter of Spanish 120 days a 5#	600	00	
Contingent expenses	2000	00	35000 00
Senate.			
Pay of 14 members 120 days a 5#	8400	00	
" " President " " " 7"	840	00	
" " Clerks " "	2160	00	
" " Permanent Clerk	2190	00	
" " Sergeant at Arms " " 5"	600	00	
" " Reporter " " 8"	960	00	
" " Chaplain " " 5"	600	00	
" " Door Keeper " " 5"	600	00	
" " Interpreter of Spanish " " 5"	600	00	
Printing	2000	00	
Contingent	2000	00	20950 00
Judiciary			
Chief Justice	5000	00	
5 District Judges a 3000 #	15000	00	20000 00
Attorney General			
Salary	3000	00	
Stationery fuel & lights	500	00	3500 00
Treasury Department			
Salary of Secty of Treasury	3500	00	
Chief Clerk	1500	00	
Book Keeper	1500	00	
Revenue Clerk	1500	00	
Two assistant Clerks	2400	00	
Books & Stationary	500	00	
Contingent expenses	300	00	
Treasurers Office			
Salary of Treasurer 2500			
" " Two Clerks 3000			
Books & Stationary 500			
Office furniture 100	6100	00	
Amount Forward	17300	00	1726

General Amt Brought forward			172650 00
Amt of Treasury Department brot forward		17300 00	
First Auditors Office			
Salaries	6400		
Stationery	393		
Lights	96		
Fuel	90		
Contingents	100	7079 00	
Second Auditors Office			
Salary of Second Auditor	2500		
" " Chief Clerk	1500		
" " Assist Clerk	1200		
Printing blanks, Stationery, fuel, Candles, furniture &c	1000	6200 00	
Comptrollers Office			
Salary of Comptroller	3000		
" " Chf Clerk	1500		
" " Asst Clerk	1200		
Books & Stationery	80		
Office furniture &c	300	6800 00	
Stock Commissioners Office			
Salary of Stock Commr	1500		
" " Chief Clerk	1500		
" " Book Keeper	1500		
Stationery, Blanks, office furniture &c	1.000	5500 00	42879 00
War Department & Bureaus.			
War Department		12090 00	
Ordnance Department		3090 00	
Quarter Master Gent Office		3470 00	
Commissary Gent Office		3720 00	
Adjutant Gent Office		2985 00	
Pay Master Gent Office		2236 00	
Surgeon Gent Office		500 00	38091 00
~~Deduct Salary of one Clerk~~		~~1200 00~~	
Navy Department			
Salary of Secty		3500 00	
" Chief Clerk		1500 00	
" 3 Assist Clerks		3600 00	
Contingencies		1400 00	10000 00
General Land Office			
Salary of Commissioner		3000 00	
" " Translator		2000 00	
" " Chief Clerk		1600 00	
" " Two Asst Clerks		3000 00	
" " Two do do		2400 00	
" " Clerk to Translator		1500 00	
Contingent expenses		500 00	14000 00
Amount forward			267620 00

Salary of Vice President 30000 00
Total Amt brot forwards 267620. 00
Post Office Department.
Salary of Post Master Genl 2000 00
" " Chief Clerk 1500 00
" " Assist Clerk 1200 00
Contingent Expenses, including set of books Stationary &c 1200 00 5900 00
$ 276520 00

Department of State
Austin 30th Octr 1839
Nath[l] Amory Chf Clk Dept of State.

To.
C. Justice
Bexar Co
Proclamation
for holding
an Election

Department of State
Austin Nov 5th 1839

Hon Erasmo Seguin
Chief Justice County of Bexar.

Sir

Thinking that some accident might prevent an election being held on the 9th inst. the President sends another proclamation for an election for that date.

You will please use the Proclamation, which will best suit the case, and return the other to this Department as soon as convenient.

Respectfully
Yours &c.
N Amory Chf. Clk.

To
President
of Texas
Report

Department of State
Austin November 1839

To His Excellency
M. B. Lamar.

Sir

I have the honor to transmit such portions of the foreign Correspondence of this department as are deemed especial to be immediately communicated to the Hon. Congress. — In the document marked A. will be found copies of letters addressed by this office to our minister at Washington, and in document B. Copies and extracts of letters from our minister, near the same government to this department, relating principally to Indian affairs.

I take much pleasure in assuring your Excellency of the general harmony that pervades the Civil department of the Republic, every branch of which, with a few exceptions, appear to be in successful operation. The delay which has unavoidably occured in running and marking the boundary lines, between this government and that of the United States, has rendered the organization of the Land offices within the disputed territory impracticable. But we have every reason to hope that the boundary line will now be speedily adjusted, and the citizens resident on its Vicinity, be relieved from

inquietudes, and permitted to participate fully in the advantages
resulting from our jurisdiction.

The Commissioners appointed by the respective governments, met and organized the Commission in the City of New Orleans. pursuant to the terms of the Convention on this subject.
By mutual agreement the joint Commission adjourned to meet again on the 15th of October at the City of Sabine, for the purpose of commencing their Labours. — By recent communications, I learn that the Commissioner Surveyor, and Clerk on the part of Texas, and the Surveyor on the part of the United States, are at their posts, the Commissioner for the United States being daily expected.

By reference to the letter from our Commissioner dated City of Sabine 29th October a copy of which is Submitted, marked .C. it will be perceived that the appropriation heretofore made is entirely inadequate to defray the expenses of the Commission, and that an immediate Supply of about Three thousand Dollars in good funds is indispensable, to the prosecution of the work.

The vast importance to the country, and especially to those Sections of it bordering upon Red River, of having this interesting undertaking perfected without further delay, will commend to your Excellency, and to the How Congress the propriety of a prompt, and effective attention to this Subject.

We have great cause for mutual felicitation in view of our foreign relations generally. — The government of the United States, continues to manifest the same liberality, and good will towards us, that has ever characterised her deportment to the young and comparatively feeble members of the national family, and we may confidently hope that in process of time, not very remote when Texas foregoing [illegible] with her present advancement, shall assume, an equal Standing with the prominent powers of the world, the same amicable and Kindly feelings that now prevail between the two governments will characterise and Control their reciprocal Conduct.

The late communication from our minister near the King of the French, Warrant an assurance that our National independence will in a short time, be fully and unequivocally recognized, by that Chivalrous government, and we have good reason to anticipate a similar result at the Court of St James. — A recognition by those principal powers of Europe, preceeded by that of the United States, will be almost tantamount to a general acknowledgement, and cannot fail to impress some serious reflections upon the inert, but obdurate pertinacity of Mexico, and to by Convincing her rulers that the reduction of Texas is utterly hopeless, and impracticable, constrain their thoughts to peace. The document marked .D. is a report made by Mr Amory. the Chief Clerk of this department. who is also Chief of the Bureau of Patents. The reward of inventive genius in the useful arts. is always Consonant with national economy. —

Document E contains a tabular expose of the amount of public printing executed under the Superintendence of this department; and some remarks and suggestions relative to the matter of public printing, which I trust will be found worthy of consideration. ** This report continued on pages 142

Fo.
Secy of
State —
Report of
Patent
Bureau —

Department of State
Austin Nov 6th 1839.

To The Hon'ble
David G. Burnet
acting Secy of State

Sir

In conformity with an act passed the last Session of Congress entitled "An act securing Patent rights to Inventors" and which constitutes the Chief Clerk of the State Department Head of the Patent Bureau Under the direction of the Secretary of State.

I have granted and issued Six Patents as follows. Viz

No 1 To Chas Learned & Stephen Waterman for a machine for making Brick
" 2 " Elijah S. Curtis " an improvement in Mills
" 3 " Robert Watson " " " in Steam Saw-mills
" 4 " Templeton Reid " " " " " the Cotton Gin
" 5 " Smith Cram " a machine for driving Piles
" 6 " do do. " do. do rimming Snags.

In each case the Patentee applied in person took the requisite Oath, after having legally declared his intention of becoming a Citizen of Texas and thirty dollars for the use of the Republic, and those who designed being absent from the country, empowered an Agent to represent their acquiring rights.

As the Law is not imperative in requiring the Patentee to deposit a model of the machine or instrument in the Patent office, but leave it optional with him to provide either a drawing or model of the same, the latter has never been exacted, still in some cases it has been voluntarily furnished, and in others promised at a future period.—
But in every instance, a minute description, and drawing of the article patented has accompanied both the Patent issued, and the Copy retained in the office.

Frequent applications have been made by persons residing in the United States, through an Agent here for Patents for inventions, but have been refused until the applicant should appear in person, and comply with the requisitions of the law.

The models now in the office are as follows
of a Machine for making Bricks
" An improved Cotton Gin
" An improvement in Steam Mills.

As a separate apartment has yet been assigned for the Patent Bureau, and the crowded Condition of the State Department make it necessary that another room be added to that building for the purpose, to contain the documents and models which may fairly be expected to accumulate before the next Session of Congress.

I am, the Honor to be
Your obt Servt
Asa Hill Almony
Com. U. S.

In the Records of this Dept last Sent to the County Surveyor a letter (Copy of which is marked H) requiring the speedy location and Survey of the three Leagues appropriated to each County for the establishment of primary Schools, and regret to be compelled to remark that no report has been received from any County, except indeed a premissory reply from the Surveyor of Nacogdoches.

It is to be apprehended that the inadequacy of the pay allowed for selecting and Surveying the Land assigned by the enlightened munificence of the late Congress to the interesting purposes of popular education, will retard their location and thus seriously impair the value of the endowments.— And I would respectfully suggest the affixing a specific and competent amount of Compensation for the selection and Survey &c of each League.— In this same document (F) will be found a letter of authorization and instructions to William H. Hunt Esquire, to select and survey the fifty Leagues of Land appropriated for the establishment and endowment of two Universities.— Mr Hunt will shortly proceed to the execution of his task, having been heretofore prevented by the apprehension of hostile Indians.

During my absence from the Department, on the Cherokee Campaign, I obtained a promise from a gentleman, who had been operating on the Lands lately occupied by those Indians, of the field notes of ten Leagues of Land which he had previously surveyed in that region In Consequence of this promise, which has not yet been complied with I instructed Mr Hunt to confine his Surveys to forty Leagues, for it appears advisable to me, to distribute this magnificent endowment to different Sections of the Republic.— The east and the west seem to be equally entitled to portions of it provided equally good selections can be had in either quarter, for it is presumable that the two Colleges or Universities will ultimately be so located, as to confer their immediate benefits equally upon those grand sectional divisions of the Country.

Mr. The report on public lands is continued to page 163 post

I have the Honor to be &c.
David G. Burnet acting Secy of State

Department of State
Austin Nov. 1839.

To
Speaker
H. of Repvs
Copies of
Laws
furnished—

Sir

Herewith I send you, of each of the following works. Viz 45 First Volume of Laws.
Do. Second do do do
Do. Third " " "
Do. Fourth. " " "
Do Journal House Last Session
Do Rules. House
Do. Ordinances & Decrees
Do Laws Coahuila & Texas 1st " part
Do. " " " 2nd Do.

To the Honorable the Speaker of H. Repvs

Respectfully yours &c
A Armory C. C. D. S.

To-
President
of the Senate
Copies of
Laws
furnished

Department of State
Austin. Nov 11th 1839

Sir

Herewith I send each of the following works viz

20 First Volume of Laws
Do. Second Do. Do.
Do Third Do. Do
Do Fourth Do Do
Do. Journal House Last Session
Do. Rules. House
Do Ordinances & Decrees
Do. Laws Coahuila & Texas 1st Part
Do. Do Do Do 2. Do

To the Honorable
the President of the Senate

Respectfully yours &c.
A Amory C.C.D.S.

To-
S. Stewell
U.S Consul
relative to
changing his
residence
from Velasco
to Galveston

I. Letter dated here Sept 3
received & page 44
according to d. Sir

Department of State
City of Houston, Augs 14th 1838

your note of yesterdays date expressing a preference for Galveston to Velasco as your residence as Consul of the U. States, has been received.

In reply, I have to remark that the superior Commercial facilities of Galveston certainly render it more eligible for a Consular residence than any other port within your Consulate. — With regard to the change suggested, and your official Conduct as Consul aforesaid, it gives me pleasure to add, that the former will be acceptable, and the latter has been satisfactory to this Government.

I have the Honor to be &c.
R A Irion

Stuart Newell Esqr.
U.S. Consul, Galveston

To-
President
of Texas-
Report on
Public
printing

If report continued
from page 142 3

Department of State
Austin Nov. 6th 1839.

Sir

Since the last Report on the subject of the public printing made November 5th 1838 by the Hon R A Irion Secy of State. The following works have been completed and delivered at this Department, of which a portion has been distributed to the Civil officers of each of the several Counties of this Republic. Viz

500 copies of the Journal of the House of Reps. fall and winter of. 1837
495 " " " " " " 1st Session 3rd Congress
521 " " " " " Senate Spring of. 1838
500 " " " " " 1st Session 3rd Congress
462 " " Journals of the Consultation
469 " " Journals of the Genl Council
2000 " Laws of the Republic 1st Session 3rd Congress
2000 " " " Coahuila & Texas first part
2000 " " " " " Second Do

and the only work now in progress is a publication of Synopsis of the most important laws of the Republic, the translation of which by Mr S.P. Andrews is daily expected to be received, and will be printed as soon thereafter as practicable.

The amount of bills for printing approved by the Department since December 15th 1838, and which includes the works mentioned above is $32,181.09

The Books remaining on hand are as follows.

about 1100 First Vol Laws of the Republic
850 Second " " " "
850 Third " " " "
1300 Fourth " " " "
1100 First part Laws Coahuila & Texas
1400 Second " " " "
300 Vols of Journal of the House of Repr. 1st Congrs 1st Session
200 " " " " " " 2nd Do
300 " " " " Fall and winter of 1837
250 " " " " Spring of 1838
250 " " " 3rd Congrs 1st Session
20 " " Senate " " 1st "
80 " " " " 2nd "
50 " " " Fall and winter of 1837
250 " " " 2nd Congrs. Second Session
150 " " " 3rd " first Do
200 " " Consultation
200 " " Genl Council
175 " Consular Instructions
900 " First Messages President Lamar.
140 " Fabvells reports of proceedings of House of Repr. 1st Congrs.
400 " Abstract of the Original titles of Record.
1200 " Ordinances & Decrees
100 " Rules of Senate
120 " House Repr.
300 Reports of the committee on the Tariff
150 Reprimand of Robt Wilson.

From the foregoing Statement it will be seen that of some works the number is inadequate to supply the fast increasing demand of the country, particularly as many of the Civil officers are unsupplied with such laws and journals, as are essential to a correct discharge of their duties, owing to the insecurity of the mails, and the failure in public officers to give up to their successors on relinquishing an office, the books they may have received.

It would seem expedient that the public printing under the supervision of the Secretary of State, should be executed by a printer of his own selection, rather than subject to be claimed as a matter of right by an individual elected by Congress. For economy and dispatch can alone be secured by competition, nor a price exceeding even that of the present time, might be extravagantly high some months since.

Nevertheless should the Hon Congress deem it proper

to elect a printer, to execute all the public work of the Government, I would recommend it should be done under an express agreement, as to the different terms or prices for the various species of printing which may probably be required, (the data for which can be furnished from this Department) and that the prices so agreed upon should be payable in Specie or its equivalent, to obviate the embarassments growing out of a fluctuating Currency.—

Very Respectfully
your obt Servt
David G. Burnet
Acting Secy of State

His Excellency
M. B. Lamar
President of the Republic of Texas.

To
Chairman of
the Committee
on the State
of the Repub.
relative to
the purchase
of a Library

Department of State
Nov 11th 1839.

Sir

In answer to the enquiry contained in your note of yesterday, in regard to the disposition of the fund of Ten thousand dollars appropriated for the purchase of a Library.

I am directed by the President to say that he purchased from Doct. Ashbel Smith the Edinburg Encyclopedia in 18 Volumes, and gave a draft on that appropriation for the amount of the purchase. The draft it is understood, has not yet been presented at the Treasury Department for payment, and the Presidents recollection is not distinct as to the precise amount agreed to be paid for this work. but he thinks that the sum was three hundred dollars, and that the draft was for that amount.

The President also directs me to say, that in consequence of the depreciated state of the Promissory notes of this Government, abroad, and the impracticability of obtaining other funds which were more available, without doing any injury to the more important and pressing interests of the Country, the law directing the purchase of a library has not been carried into effect, further than the purchase of the books above refered to, and that all the residue of the appropriation for this object has remained untouched.

I have the honor to be
Very Respectfully yr obt Svt
David G. Burnet
Acting Secy of State

To Hon W. H Jack
Chairman of the Committee
on the State of the Republic

To
Chairman Comme
on Finance
relative to
number &
Salary of
Clerks State
Departt

Department of State
Austin Nov 11th 1839

Sir

I am instructed by the acting Secretary of State to say in reply to your enquiry respecting the Clerks in this Department.

That at present there are three viz

Nathaniel Amory Chf Clerk & Superintt of Patent Bureau Salary $1200.00
Joseph Waples Chf of Diplomatic Bureau do. 1500.

Mr. H. C Beaty asst Clerk Salary $1200-00.

That the number requisite varies according to the duties to be performed, that one in addition may hereafter be necessary for a time, but care always had, and will be taken to have no more than are strictly necessary, and that all are very considerately paid for the services rendered.

An estimate of all the expenses of the different Departments was furnished the Secy of the Treasury, at his request Some days since by this Department, to be laid before Congress, to which I beg leave to

The Laws under which the above Salaries have been fixed are an act Compensating officers of the Civil list, approved Decr 9th 1836 which gives to Chief Clerks of Departments $1500. and a joint resolution for the benefit of Alexander Walsh approved June 9th 1837 which allowed him $1200. per annum as assistant Clerk, and all other Clerks, Claiming of a similar nature.

Respectfully
Your obt Servant
Stephen Amory
Chf Clerk Dept of State

To
Hon S. H. Everitt
Chairman of the Committee
on Finances Senate

To
Speaker
H. of Repves
relative to
Vacated
Offices
&c—

Department of State
Austin Nov. 18th 1839.

Sir

I have the honor to apprize you that the following vacancies have occured. of Chief Justice of Colorado County Hon W. Wadham resigned. of Chief Justice of Goliad County Hon W. L Hunter resigned of Judge 1st Judicial District Hon. E. M. Lubbock resigned.

Respectfully
your obt Servt
S. Amory C. C. D. S.

To
Hon D. S Kaufman
Speaker of the House Repves

To
C. Justice
Harrison Co
proclamations

Department of State
Austin Nov 21st 1839.

Sir

Enclosed are several proclamations of the same tenor transmitted and addressed to the Chief Justices of Shelby and Sabine, as well as yourself. You will please use your best judgement in having one or more conveyed to each of said Chief Justices by the safest and speediest mode.

Respectfully Your obt Servt
S Amory C. C. D. of State

To
Hon Geo. B. Atkins
Chief Justice
County of Harrison

Fo-
C. Justice
Nacogdoches co-
Proclamation
for Election
of Senator
& Repren-
transmitted

Department of State
Austin Nov 21st 1839

Sir

Enclosed are three Packages. One for each of the following Counties Shelby Sabine and Harrison containing Proclamations for an election for a Senator and Representative in Congress, which you will please use your best judgement in forwarding in the safest and Speediest manner.

Respectfully Yr obt Servt
A. Amory C. C. S. of State

To Hon Mr. Hart
Chief Justice Nacogdoches County
one of the above letters, of same tenor, and date, sent to the Chief Justice of San Augustine County

Fo
C. Justice
Sabine Co.
Proclamation
for Election
of Senator
& Repren
transmitted

Department of State
Austin Nov 21st 1839.

Sir

Enclosed are several Proclamations all of the same tenor and addressed to the Chief Justices of Shelby & Harrison as well as yourself, You will use your best judgement in having one or more Conveyed to each of said Chief Justices by the safest and Speediest mode.

Respectfully
Yr. obt Servt
A. Amory C. C. S. of St

To Hon William P. Wyche
Chief Justice County of Sabine

Fo
C. Justice
Shelby Co.
Proclamation
for Election
of Senator
& Rep
transmitted

Department of State
Austin Nov 21st 1839.

Sir

Enclosed are several Proclamations all of the same tenor and addressed to the Chief Justices of Sabine and Harrison as well as yourself, You will please use your best judgement in having one or more Conveyed to each of said Chief Justices by the Safest and Speediest mode

Respectfully
Your obt Servt
A. Amory C. C. S. of State

To Hon Geo Lusk Chief Justice
County of Shelby.

Fo
Speaker
H. of Repr
relative to
report of
Commissioners
to select a
site for the
seat of
Govt &c &c

Department of State
Austin 25th Nov. 1839.

Sir

I am instructed by his Excellency the President to furnish you with the accompanying Documents viz

A copy of the Report of the Commissioners to select a site for the Seat of Government. A Copy of the proceedings of the Court relative to the Lands selected.

A copy of the Abstracts of Titles for the same and a copy of draft given by the Commissioners for the amount of the purchase. In accordance with a resolution of the House of Representatives calling for information which these papers contain

I have the honor to be
Sir
Your most obt Servt
Daniel C. Barnett
Act

To the Hon J. P. Kaufman
Speaker House of Repr

148

To
H.W. Suddath
Commissioned
Notary
Public
Jasper Co.

Department of State
Austin 27th Nov. 1839

Sir

Herewith you will receive your Commission as Notary Public for the County of Jasper. in place of Samuel P. McFarland Esqr. who you will notify of your appointment

Very Respectfully
Your obt Servt
David G. Burnet
acting Secy of State

H.W. Suddath
Notary Public
Jasper County.

To
Levi Jones
relative to
S.P. Andrews
translator
&c. &c.

Department of State
Austin Nov 27th 1839.

Sir,

The Secretary of State wished me to enquire of you, if you have any intelligence of Mr S.P. Andrews who undertook to translate certain Laws of the Republic into Castillian, and left Galveston for New York in May last, stating it as his intention to leave there on his return by the first of Oct. and therefore should have been here before this.

Not having received a line from Mr A, since his departure I take the liberty of enquiring of you, in consequence of seeing your name to his bonds, and supposing for that reason you are well acquainted with, and advised of his movements. it is true the first of January was the latest period allowed for the completion of the work, but some part of it was expected prior to that date, or at least a report of his progress.

The notice from us that a contract had been made with a printer, would according to his agreement oblige him to keep the Printer supplied with materials any time after first of September last, that notice has never been given him, as no contract has yet been made, for the reason that it is essential he should be near the Printery which he is bound in the contract to superintend

Should you think it advisable to forward this letter to him in the event of your being uninformed of his intentions and progress, please do so, Also be so kind as to reply to it as soon as Convenient.

Very Respectfully
Your Obdt Servant
Nathl Amory, C Clerk Dep State.

Doct.
Levi Jones. Galveston

To
Wm. Hunt
nomination
as Comm.r

Department of State
Austin Decr 2nd 1839

Sir

I have the honor to inform you, that your nomination as Commissioner to run the boundary line between Texas and the United States has been confirmed by the Senate and that consequently your commission and the necessary instructions will be furnished you as early as may be practicable.

The peculiar condition of affairs relating to that interesting operation renders it expedient that you should repair without delay to the scenes of your Labor.

Very Respectfully
Your obt Servt
David G. Burnet
acting Secy of State

To General
Memucan Hunt

Department of State
Austin Dec. 3rd 1839

To
Alcee La Branche
Chargé d'affaires
of the U States

Sir

I have the honor to acquaint you that in place of David
D. Sample Esqr. Commissioner on the part of Texas to run and mark the boun
dary line between the Republic and the United States, the Hon. Memucan
appointed Hunt has been appointed, and will relieve the former gentleman, on
con to run arrival at a point where he may meet the joint commission of the two
boundary governments
line between
U.S. & Texas

With great Consideration
I have the honor to be
Your obt Servt
David G. Burnet
Acting Secy of State

Department of State
Austin Dec. 4th 1839

To
Secy of
Treasury
relative to
furnishing
5000 $ to
M. Hunt
Commissioner
to run boun-
dary line
between U S
and Texas

Sir

I am instructed by his Excellency the President to request you will furnish the Hon. Memucan Hunt, Commissioner on the part of Texas, to run and mark the boundary line between the Republic, and the United States, Five thousand Dollars, amount appropriated for the expenses of running said line per act approved 23rd November last, out of monies deposited by Genl. James Hamilton to the credit of this Government in New Orleans.

Respectfully
Your obt Servt

To
Hon James K. Polk
Secy of the Treasury

Department of State
Austin Dec. 5th 1839

To
M. Hunt
instructions
&c as Comr
to run &
mark boundary
line between
U.S. & Texas

Sir

I have the honor to transmit your Commission as commissioner to run and mark the boundary line between Texas and the United States.

Accompanying this you will also receive a copy of the instructions which have been heretofore furnished to gentlemen who have preceded you, and I have determined a portion of the duties

ascertaining to your interesting office— These instructions you will please consider as directed to yourself, and in the matters yet to be executed, touching your appointment, you will make them the rule of your conduct.

You will perceive by an act approved 23rd November that an additional appropriation of five thousand dollars has been made to carry out the objects of the Commission.

That sum will be furnished to you by the Secretary of the Treasury, and it is presumed it will be found adequate to all its purposes.

You will observe by the terms of the Convention between the two governments on this subject (copy of which is also furnished) you are required only to run and mark that portion of the said boundary which extends from the mouth of the Sabine, where that river enters the Gulf of Mexico to the Red River.— When therefore you shall arrive at that point, you will discontinue your explorations & Survey, and after making the necessary adjustments with the Commissioner on the part of the United States.— You will return and report your joint proceedings to this department.

It is possible the joint Commission may have already commenced its labors and progressed some distance beyond the mouth of the Sabine— Should such be the fact you will on joining the Commission, and relieving Mr Sample make a careful inspection of the work already executed and particularly that relating to the place of beginning.

The government can entertain no doubt of the just and equitable views which actuate the government of the United States, in all its transactions in this mutually important matter, and therefore it is believed to be entirely superfluous to guard you against the renounced but most preposterous pretention, that the river Neches, alias La Niege, is the river Sabine, will be suggested on the part of that government. The treaty designates the west bank of the Sabine as the line of demarcation, and the only debatable question that can arise will be in reference to the point of commencement at the mouth of the river. Should this question be agitated you will find no difficulty in adducing evidence that the general Sentiments of Nations, and which have received the highest judicial Sanction of the United States, have interpreted the words or words analagous to those found in the treaty, western bank of the river, to comprehend only the submerged soil to the point of low water mark on the western side of the Stream.— You will therefore commence the Survey and prosecute it throughout, at the point of low water mark which is more easily ascertained than that of high water or any intermediate stage, and should the work have been commenced under a different interpretation, and the Commissioner on the part of the United States, be unwilling to amend it you will formally protest against it and refer the matter to your government.

You will also receive herewith copies of two acts to carry into effect the Convention between Texas and the United States, the one ratified June 12th 1838, and the other 23rd November 1839, which are furnished for your instruction and government.

It is expected that you will send Capt Pillans of the army accompanying the Commissioner for Texas. Capt Pillans is a young gentleman of considerable scientific acquirements, and an officer of high estimation, and Surgeon Smyth the Surveyor will find him a valuable Coadjutant and I take pleasure in commending him to his and your regards.

Col. P. B. Dexter who has been engaged until recently in business connected with the Commission under instructions copy of which is herewith furnished, you will settle with, as well as David Dample Esqr. who you succeed as Commissioner on fair and equitable terms both as to their compensation and expenditures for the Commission, on presentation by them of the proper accounts and Vouchers—

I have the honor to be
Your obt Servt.
David G. Burnet
Acting Secy of State

To
Gov. Hemuscan Hunt

Fa-
Chair. Com.
on Finance
H. of Rep.
relative to
number &
salary of
Clerks, Dept
of State

Department of State.
Austin Decr. 9th 1839.

Sir

In reply to the enquery contained in your note of the 7th Inst. I have the honor to state that at the present time there are three Clerks in this Department as follows.

Nath[l] Amory Chief Clerk & Commissioner, or Head of Patent Bureau Salary per annum. — $2000.00

Joseph Waples Chief of Diplomatic Bureau Salary per an. 1500.00
M. H. Beaty Assistant Clerk. Salary per an. $1200.00

Very Respectfully
Yr obt Servt.
Nath[l] Amory C.C. & Dept State

Hon Samuel M. Williams
Chairman Com[tee] on Finance
House Representatives

To
M. Hunt
permitting
him to
transmit
his report
as Comm[r]
to new
boundary
line between
U.S. & Texas

Department of State
Austin 10th Decr 1839

Sir

In compliance with your request, I remark that it would be personally inconvenient to you to return to Austin immediately on completing your Survey of the boundary line between Texas and the United States, you can transmit your report to this department by Mr Smith the Surveyor or by any other gentleman attached to the Commission. But I would suggest to you the propriety of making your report ample to a full understanding of all the acts of the joint commission, and especially should any material difference of opinion arise between you and your Coadjutant

commissioner, that you will furnish a copious account of that differ
ence and its relations.

Very Respectfully
your obt Servt
David G. Burnet
acting Secy of State

To
Genl. M. Hunt.

Fo.
D. Sample
relative to
his rejection

Department of State
Austin 11th Decr. 1839

Sir

It becomes my duty to inform you that your appointment as Commissioner to run and mark the boundary between Texas
by the Senate
as commr and the United States was submitted to the Honorable Senate and rejected
to run on the 21st Ults. and that the Hon Memucan Hunt was confirmed for
boundary line the same office on the 27th.

You will therefore on receipt of this letter resign
M. Hunt your charge to that gentleman, who is directed to forthwith enter upon the
appointed duties. and it is hoped you will on resigning to him the documents and
successor papers relative thereto, afford him all the aid and facility in your
&c. &c. power, and all necessary information explanatory of your progress.

Very Respectfully
Your obt Servt
David G. Burnet acting Secy of State

To
~~Hon. M.~~ Hunt David Sample Esqr.

To
D. R. Jones
appointt &
confirmation
as P. Master
Genl

Department of State
Austin Decr. 16th 1839

Sir

It affords me great pleasure to inform you that
you have this day been appointed Post Master General, the Senate
having unanimously confirmed your nomination.

The first department of the
Government is in a very deranged condition, and it is the wish of the
President that you will repair as soon as practicable to the Seat of
Government and enter upon the duties of the office

Very Respectfully
Your most obt Servt
David G. Burnet
acting Secy of State

John R. Jones Esqr

To
Crugo &
Bonnell and
Sam Whiting
relative to

To
Messrs. Cruger and Bonnell.

Department of State
Austin Decr. 16. 1839.

I am directed to enquire if you would
printing the contract with this department, to print the translation of the
translation Laws of the Republic in Spanish, in Small Pica type, with accented letters
of the laws in good Style, the same number of lines and the same length of lines
in Spanish as the Spanish Laws of Coahuila and Texas as Published by Messrs.
Cruger and Moore.

And what would be your price pr. page for first 250 Copies and what for second 250 Copies, and all succeeding 250 Copies, in Specie, or equivalent.

Respectfully
Yrs.
A. Thrasy.
C. Clerk L. & S.

To
S. P. Andrews Esqr.

Department of State.
Austin Decr. 19th. 1839

Sir

Yours of the 9th instant is received stating your progress in translating the Laws of the Republic into the Castilian Language.

I have made a contract with Messrs Cruger and Moore to print the same at the Telegraph office in Houston. You will please furnish them with the copy and documents the printing of the same. A copy of the contract is herewith furnished you.

Respectfully
Your obedient Servant
David G. Burnet
acting Secty. State

To
Edward Linn Esq.

Department of State
Austin 21st December 1839.

Sir

Your letter of the 18th instant is received. I regret extremely, to learn that there cannot be an eligible selection made in the County of Victoria of the three leagues of Land appropriated to Education.

By recurring to the law, you will perceive that in such case you are authorized to make a selection without the County, and I regret you will use your best efforts to secure a good location for your County.

The appropriation is a munificent one, but unless timely exertions are made to secure good lands, it may become in a great measure unavailable.

Very respectfully
I am
Your obt. Servt.
David G Burnet.
acting Secry of State.

I the Undersigned acting Secretary of State of the Republic of Texas do hereby certify, that General James Hamilton this day appeared before me and took the oath of allegience in accordance with a joint Resolution approved 21st December 1839, and that he is accordingly entitled to all the privileges of Citizenship. Given under my hand and seal of office at the city of Austin this 21st December A.D. 1839.

(L.S.)

David G. Burnet

A. to S. P. Andrews relative to translating the Laws into the Castilian Language

A. to E. Linn - instructions to Locate the 3 Leagues of land appro. to Education without the County

Certificate Genl James Hamilton's oath of allegiance

Wm Bryan
Purchase
of
articles &c

Department of State
Austin December 21st 1839.

William Bryan Esqr
Texian Consul N. Orleans,

Sir You will please purchase for this Department the following articles and forward them to the Collector at Galveston. Mr Amory will superintend the selection. Your bill will be adjusted with your partner Mr Hall, here, or otherwise as you may direct.

Respectfully Your obt Servt
Joseph Waples. Chf Clk Dept State.

25 pounds Sealing wax, 2 pounds Wafers, 4 doz pieces India Rubber, 20 Cards Steel pens, (part of which Knights patent back spring, Perrygian patent India Rubber Spring, Ladies pen &c) 2 doz good desk Knives, (the last sent were very inferior) 4 doz Stevens writing fluid, 12 doz best Lead pencils, 4 Inkstands for Desks of Department) 4 doz Red Ink, 4 reams envelope paper, 1 pound pounce, and such other articles as Mr Amory may think we need.

To
P. H. Cortes
relative to
his acceptance
or non
acceptance
of the appt
of Consul
Port of
Nachitoches

The following five letters belong to pag 48 &c.

Republic of Texas
Department of State,
City of Houston Sep. 20th 1838.

John F Cortez Esqr.

Sir,

About the 20th of May last I had the honor to transmit to you an appointment signed by his excellency the President, as consul of the Republic of Texas for the Port of Nachitoches.

Not having had the pleasure of hearing from you since, and being extremely solicitous to ascertain whether said appointment has been accepted, I have to request that you as soon as practicable after the receipt of this communication notify this Department of your determination.

With sentiments of consideration and respect, I have the honor to be

Your obt Servt
R. A. Irion
Secretary of State.

To
J. Toby Esqr.
reception of
Consul
Public
printing
Printers at
Washington

Department of State.
City of Houston Oct 12, 1838.

Thomas Toby Esqr.

Sir,

I am instructed by the Secretary of State to advise you of the reception of your favor of the 8th inst. acknowledging the receipt of your communication as consul of this Republic.

And also to request your immediate attention to the enclosed proposition in relation to the Public printing.

This proposition was made to Congress by Niles & Co. last January & being made at more elected Public Printers — Upon canceling their bill a third time since and after charge of $ was made for the paper. Now as the reading of the proposition is rather ambiguous, and will admit of two different constructions, the

object is to ascertain how it would be understood by office practical Printers, whether it would be so construed as to allow them to pay for paper extra, or who they are to furnish it. You will therefore oblige by obtaining the opinions of one or two practical printers in your city in writing, and transmitting it by the earliest opportunity, as it is important that early advice should be received on the subject. There is no news of any importance stirring here and the State of the Republic is tranquil.

With consideration and respect I have the honor to be,

Your Obt. Servt.
Jos C. Eldridge
Chf Clerk Dept of State.

To
A. Townsend.

A. Townsends removal from the Office of Consul Port-au-P.

Department of State,
City of Houston Sept. 20, 1838.

Sir

By direction of the President, you are hereby informed of your removal from the office of Consul of this Republic for the Port of New-Orleans in the U. States of America. You will therefore deliver over to Mr. Thomas Toby, who has been appointed to succeed you, the archives of the Consulate.

Respectfully Your obedient
Servant
R. A. Irion
Secretary of State.

To
James Hamilton Jr. Esqr.

Mr Hamilton Jr.) relative to reception of duplicate Comn as Consul &c

Republic of Texas, Department of State,
City of Houston Sept. 20th 1838.

Sir

I had the honor of forwarding you, during the month of July last a duplicate commission executed upon parchment, and as there exists some doubts as to its safe conveyance, you will confer a favor, by notifying this Dept. as soon as practicable, after the receipt of this, relative thereto.

Instructions for the Government of this Consular and Commercial agents of this Republic are now in press and will be furnished you in Pamphlet form in the course of a few weeks.

I have the honor to be with

Consideration and respect,

Your obt Servt.
R. A. Irion
Secretary of State.

To
Stewart Newell Esqr.

Mr S. Newell relative to obtaining U.S. Consul certificate to document

Department of State,
City of Houston Oct. 12th 1838.

Sir

Herewith you will receive a written document with the certificate of the Secretary of State annexed, which it seems is necessary to have the certificate of the U.S. Consul also affixed. You will therefore confer an obligation on the Secretary of State, by attesting under your consular seal that it has been certified by the proper officer of this Government and forwarding it as per direction enclosed.

With consideration & the highest respect
I am Your obt. Servt. Jos C. Eldridge, Chf Clk. Dept of St

To
James Hamilton Jr.

Republic of Texas. Department of State,
City of Houston, Sept. 20. 38

Sir

I had the honor of forwarding (via Galveston) you during the month of July last a duplicate Commission

To Stewart Newell Esq.

Newell relative to changing his residence as consul from Velasco to Galveston.

Department of State,
City of Houston aug 4th, 1838.

Sir

Your note of yesterdays date expressing a preference for Galveston, to Velasco as your residence as Consul of the United States has been received.

In reply I have to remark that the superior Commercial facilities of Galveston certainly render it more eligible for a consular residence than any other Port within your Consulate. With regard to the change suggested, and your official Conduct as consul aforesaid it gives me pleasure to state that the former will be acceptable and the latter has been satisfactory to this Government

I have the honor to be
Yr. obt. Servt.
R. A. Irion
Secretary of State.

To
~~L. C. Cunningham~~

To Hon. L. C. Cunningham,

Department of State
City of Austin Dec. 27, 1839

L. C. Cunningham relative to electing Officers for City of Austin.

Sir

I am directed by the Secretary of State to inform you of the passage of an act entitled "An act to incorporate the City of Austin, and to request you to order an election for the officers thereof, as early as practicable according to law. Annexed are copies of ~~two~~ Sections of said act Section 3d showing what officers are to be elected, and Sec. 21. showing the manner which said Election shall be conducted.

Respfly,
Your Obt. Servt.
Joseph Waples
Chf Clerk Depart. State.

To
A. M. Eastland c.j.
Commissioned
and for
Sundry Attorneys
& C. &c.

Hon
A. M. Eastland
Chief Justice Fayette County

Department of State
Austin ~~Dec~~ January 4th 1840

Sir Yours of 9th Ult is at hand, enclosing a list of Civil Officers of Fayette County. In which you state David S. Kornegay County Clerk has not received a Commission, I herewith enclose one for him, which you will please hand him, when he shall have executed a bond according to Law.

In all cases after an election for officers to be commissioned you will please inform this Department without delay in order that such commissions may be made out & forwarded,

Respectfully Your Obdt Servt
J. C. Mathews Chief Clk Dept State

To
J. R. Jones
Post. Mr Genl
Commission
transmitted

Department of State
Austin January 7th 1840

Genl
John Rice Jones
Post Master General

Sir I am instructed by the Hond Secretary of State to forward you your Commission as Post Master Genl, which you will find accompanying this. You will please execute a bond according to the law "establishing a General Post office," approved Decr 22nd 1836, and forward it to this department.

Respectfully Your obedient Servant
Joseph Waples, Chf Clk Dept State.

To
D. Montague
relative to
locating 3
Leagues of
Land for=
Gud Education

Department of State
Austin Jany 8th 1840

To Daniel Montague Esqr

Sir, I have this moment the pleasure to receive Your letter of 30th October, and feel much gratified at the pros= pect of having a good selection of land made in your County, for the purposes of Education. No subject can be more interesting to the patriot, than that of general education. The late Congress have made a munificent appropriation of Lands, and it depends in some measure upon the Surveyors of the several Counties to render the appropriation valuable. I am much gratified to find that Hannin County has committed her interests in this matter to so good hands.—

You are authorized to Locate the three Leagues in any size tract not less than one hundred and sixty Acres. And you may doubtless find it advantageous to divide Your selections into smaller tracts than Leagues.

I have the honor to be very respectfully, Your Obt Servt
David G. Burnet
Acting Secty of State.

To
President
of Texas
relative to
paying
Wm H. Hunt
Esqr for
expenses
incurred
in locating
4 Leagues
of Land
for two
Colleges

Department of State
Austin 13th Jany 1840

To his Excellency
Mirabeau B Lamar

Sir, Wm H Hunt was employed some time ago to select and survey forty Leagues of Land under the law appropriating fifty Leagues for two Colleges—

Mr Hunt has recently selected a portion of those lands and and has incurred some expenses in doing so. The lands being within the usual range of hostile Indians have not been sufficiently surveyed, but I trust are well selected to the purposes intended

Mr Hunt requires the sum of five hundred dollars on account and I consider he is entitled to receive it. Will your Excellency give him the Corresponding order on the Treasury Department.

Very Respectfully
Your obedient Servant
David G. Burnet
Acting Secty of State

W.D.

To
Sec of Navy

Department of State
Austin Jan. 13 1840.

To the Honorable
relative to Lewis P. Cook
borrowing
Mathematical
instruments

Secy of the Navy &c

The commissioners appointed for Comm.rs to run and mark the boundary line between the United States
& Texas are entirely without the necessary mathematical
boundary instruments to discharge their duties with credit to themselves
line between or advantage to the country—It is understood that com-
U.S. & Texas petent instruments are in possession of the Navy Department
and I respectfully request that they may be furnished
to the commissioners appointed to run the line, inasmuch
that without such loan the Commissioners and Surveyors
on the part of this Government will be entirely dependent
on the commissioners on the part of the United States for
these indispensable aids,

Very Respectfully
Your obt. Servt.
Mavick G. Burnet
Secy of State.

To

Department of State
Austin January 15. 1840

Speaker H.
of Represent.s

Sir

I have the honor to apprise you that the
Office of
C. Justice
of Fannin Co
Vacant—

Office of Chief Justice of Fannin County & State is va-
cant by the resignation of J. G. Jarrett which is on file in this
Department

Respectfully
Your obt. Servant
Joseph Waples
Chief Clerk dept State.

Hon.
D. S. Kaufman
Speaker of the House of Representatives.

To
Chair. Com.
Public Printing
H. of R

Department of State
Austin January 16 1840.

To the House.

The Chairman of the committee on Public printing of
relative to the House of Representatives,
The Bond of
Gruger & Borden
Pub-Printers

Sir

Sometime early in the Session when
Messrs. Gruger & Borden were elected Public Printers, Mr. Amory the
elect &c then Chief Clerk in this Dept. furnished your committee with a
bond for the said Gruger and Borden to execute, with you be
kind enough to give this Department information whether they
have yet Executed it, and if so it is desired have it returned, as they
are now ready to commence their work and the Department is
anxiously awaiting for them to Comply with the Contract, to furnish

copy for the press,

By request of the Secretary of State,
I have the Honor to be
Respectfully
Your obt Servt
Joseph Naples
Chief Clk Dep State,

Mr.
Sec'y of
Treasury—
relative to
A Amory's
appoint as
Sec'y of Legation
to W. State
& funds
therefor—
Also—
M. Hunt
instructions
as Commissioner
to run
boundary
line between
U.S & Texas

Department of State
Austin Dec 19th 1839.

Sir.

I have to inform you that Mr Nathaniel Amory has been appointed Sec'y of Legation at Washington U. States. You will therefore please furnish him with the necessary funds, his appointment bears date from yesterday.

Respectfully yours
David G. Burnet
Acting Sec'y of State.

Hon. James H Starr
Sec'y of Treasury.

Department of State
Austin 15th Jany 1840

To Gen. Memucan Hunt
Commissioner &c.

Sir

In a communication lately received from Mr Sample, your predecessor, it is remarked that "Judge Overton likewise informs me that he has received instructions to investigate the Neches question" — It is matter of regret that this question should be suggested at all — but if it is so, you will of course discuss it with calmness and dignity. You will however carefully abstain from conceding any thing that can, in the most remote sense, compromit your Government, or be construed into an admission of so great an absurdity, as that the River Neches is the River Sabine. Those streams have borne their respective names time immemorial, and if the marshes alluded to in the Treaty of boundary between Spain and the United States cannot be produced, I presume the testimony of living witnesses and of all maps of the Country that are extant, will be sufficient to settle the question without a protracted discussion.

But there is another question which involves much greater uncertainty and is much more worthy of discussion than that of the Neches. The rivers Neches and Sabine disembouge in a considerable body of Water which has been sometimes denominated a bay and sometimes a Lake This Bay or Lake discharges itself by a narrow channel through a low flat marsh, which is occasionally overflown into the Gulf. It is a question susceptible of some reasonable doubt whether this narrow channel leading from the bay or Lake to the Gulf, can be properly considered a protraction of the river Sabine (why not call it an elongation of the Neches: or with more propriety the outlet of the Sabine bay, and the bay itself an enlargement or indentation of the Gulf. This view of the subject would fix the mouth of the Sabine at its entrance into the bay, and by considering the bay, an indentation of the sea, the phrase, the mouth of the Sabine in the sea" is rendered consistent with the new construction. I suggest this to you as one mean of repelling the preposterous claims

[illegible] [illegible] [illegible] [

the views of the Government, and give the least possible annoyance to the citizens of the neighbourhood. As soon as the locations shall be determined upon, and made, you notify Ebenezer Jewett who is appointed a Surveyor for the purpose of Surveying these tracts and require him to make the survey in accordance with the Selection you designate.— The law defines that the two leagues appropriated to the use of the Alabamas Shall be so located as to include the "Jenceda in Village" as it is familiarly called. You will therefore be careful to observe the law, in this respect, but in running the lines for these as well as for the other two leagues, you will endeavor to avoid interfering with the surveys of citizens as far as may be practicable, having in View at the same time the propriety of keeping the Indian Lands in something like a uniform body. The Surveyor will make his returns to you as soon as the Surveys are completed, and you will report them to this department without delay.— In Selecting the two leagues for the Coshattees you may, if no serious objection, founded on the convenience of the adjoining Citizens presents itself, assign them Separate leagues, One for the party called Coletes and the other for the accommodation of the residue of the tribe.— In all events you will endeavor to make your Selections so as to Comprise as many of the Indian improvements as possible. As the Season for Cultivation is fast approaching, you will loose no time in having these Lands Selected and Surveyed, and the Indians removed upon them for I foresee it will be impossible to make the Surveys without leaving Some of the present improvements of the Indians without the boundaries assigned them.— It will be your duty in general to See that the Indians are not molested in their habitations, and that they deport themselves peaceably towards the whites, and towards each other.— You ought to discourage in every possible way, the introduction of ardent Spirits into the Indian Settlements.— It is expected that a law will pass imposing a large tax on the retailers of that pernicious article, and if it Should do so it will enable you to prevent altogether or greatly to restrain its introduction among the ill fated beings Committed to your charge.— The time allowed me on this occasion is so brief that I Shall not be able to instruct you as fully as may be desirable. In case matters that may arise relating to your office, you will endeavour to guard the few and Simple rights of the Indians, while you will very carefully abstain from doing or permitting any wrong to your fellow citizens.

Very Respectfully &c
David G. Burnet Acting
Sec of State

To Thomas Stubblefield

Austin 15th Jany 1840.

To Speaker of H. of R. a list of County Surveyors Submitted

The following is a list of County Surveyors as from Register of Civil officers in the Department of State, Submitted to the New Congress, on the day and date as above written.

Red River County John T Harmon elected 13th November 1838.
Fannin County Daniel Montague date of Commiss not known
Jefferson C. H. Delano date of Commission not known
Fayette County Samuel P. Hayden elected 13th November 1838
Bexar " William Lindsey " " " "
Jasper " Martin D. Lewis date of Commiss not known
Houston " George Aldrich " " " "

Colind County	"	Samuels D Sheaves Commissioned Nov. 30th 1839.
Fort Bend	"	Nathaniel Peck date of Commiss not known
Victoria	"	Edward Linn " " " " "
Harrisburg	"	Henry. Scroll Elected 13th December 1838
Montgomery	"	William Robinson date of com not known
Galveston	"	John. D. Groebeck Commissioned 29th. Nov 1839
Harrison	"	George D. McKinsey " 30th " " 1839
San Augustine	"	John C Smith " 30th " " 1839
Nacogdoches	"	William. A. Ferris date Commission not known
Sabine	"	Harrison Frazer " " " "
Liberty	"	Franklin Harden " " " "
Milam	"	James Hoxlet reelected Nov. 28th 1839
Robertson	"	E. L. R. Patton Commissioned 30th Nov. 1839
Brazoria	"	William H. Hunt date of Commission not known
Bastrop	"	W. S. Wallace Commissioned Nov. 30th 1839
Jackson	"	Howard Simmons date of Commission not known
Matagorda	"	R. Lawder Commissioned Nov. 30th 1839
Washington	"	Adolphus Hope date of Commission not known
Refugio	"	J. B. Collinsworth Commissioned 30th Nov. 1839.
Austin	"	Henry W. Kenney date of Commission not known
San Patricio	"	J. A. A. Grammont Commissioned 30th Nov. 1839.
Colorado	"	John Joliver date of Commission not known.
Shelby	"	Richard Hooper " " " " "
Gonzales	"	Charles. Lockhart " " " "

The above is a true copy from the Register

Joseph Waples
Chf Clk Dept State

In
Speaker H of R

Department of State
Austin Janry 28th 1840

In
Editor of
News-paper
relative to
publishing
the Laws
&c-

To the Editors of

Sir

The New Congress has passed an act requiring the Secretary of State to have see the Laws of the present Session published in one of the newspapers in each Senatorial District where there is a newspaper published Provided the Cost of publishing the same does not exceed three hundred dollars.

I am requested by the Secretary of State to enquire of you if you will have them published in the Austin City Gazette upon these terms please inform this Department as early as practicable whether or not you will have it done.

I have the honor to be &c.
Joseph Waples C. C. D. S.

Copy of the above sent to Austin Gazette, Brazos Courier, Colorado Gazette, Texas Emigrant Richmond Telescope, Red Lander, and Telegraph.

Department of State
Austin Janry 29th 1840

Hon.
W. S. Austin
Letter &c.

Hon. W. Austin Esq.

Sir

I had the honor this morning to receive your letter of yesterday 20th Inst and duly directed by the President to say that it is

the expended competent and proper for you to defray the expenses of the express which you of an express sent to the government on the present occasion— The President Commends your from Her zeal in thus aiding the communication of important intelligence to your Brittanic government.— Enclosed you will receive the reply of this government to the Majesty's demand emanating from Her Brittanic Majesty's government, and which it only Government intimated in the letter from His Excellency the Governor of the Windward Islands, and dispatched verbally by Commander Hamilton of the Royal Navy.— You will transmit to the reply without delay to Capt Hamilton and say to him that the President would take great pleasure in saluting him personally at Austin

I have the honor to be
David G Burnet
acting Sec of State

To
A. S. Lipscomb.
Confirmation of Nomination as Sec of State—

Department of State
Austin Jany. 31st 1840

Sir Now A. S Lipscomb

I have the honor to inform you that your nomination as Secretary of State has been confirmed by the Senate

Very Respectfully yr obt Servt.
David G Burnet acting Sec of State

To
C. Justice
Houston Co.
Commission transmitted

Department of State
Austin Feby 4th 1840

Sir Now Chief Justice Houston County

Enclosed are commissions for Sheriff, Clerk District Court, and Justice of Peace; which you will please have delivered— To the two first you will of course not deliver until they shall have executed bonds according to law.

I have the honor to be &c
Joseph Waples C.C.D.S.

To
C. Justices
of Read—
Commission
for County
Surveyor—
transmitted—

Department of State
Austin Feby 4th 1840

Sir Now Chief Justice of Montgomery Travis Fayette Harris & Victoria Counties

Herewith you will receive a commission for County Surveyor of your County, which you will please deliver him after he has executed a bond in accordance with law.

Respectfully your obt Servt.
Joseph Waples C.C.D.S.

See register civil officers for name of surveyors

To
Commissioner of ——— Coty
examine the records of the Board of

Department of State
Austin Feby 4th 1840

Sir I am instructed by the How Secretary of State to inform

164

Land Com^rs of Texas

Sec. Register of Civil officers
for Recvrs of Commissioners

Department of State
Austin Feby 6th 1840

To
A.M. Radcliffe
Commissioner
as Consul
Port of
New York

Augustus M. Radcliffe Esq

Sir

I have the pleasure herewith of forwarding you a Commission as Consul of the Republic of Texas for the Port of New York, which I hope it will meet your convenience to accept. — The President instructs me, & request you call on John Woodward Esq. Your predecessor and receive from him all the books, papers, including the instructions, and all other materials belonging to the Consular office under his charge. — You will please forward your bond agreeably to the Consular instructions, to this Department as early as practicable

I have the honor to be
Abner S. Lipscomb
Secty of State

To
J. Woodward
Removal
from
office
Consul Genl

Department of State
Austin Feby 6th 1840

Sir

I am instructed by the President to inform you that your services as Consul or Consul General for this Government are no longer required. — You will deliver all the books, papers, including the instructions and all other materials belonging to the Consular office under your charge, to Augustus M. Radcliffe Esq of New York whose receipt will be your sufficient discharge.

Your obt Servant
Abner S. Lipscomb
Secy of State

To
Cruger & Moore
"
Bonnell
&
Sam^l Whiting
relative to
Loan
Bonds

Department of State
Austin Feby 7th 1840

Messrs Cruger & Moore or
Messrs Cruger & Bonnell & Sam^l Whiting Esqrs
Genl

The Secretary of State is authorized to have
printed about two Copies or Volumes of Laws, Journals &c bound.

I am instructed by
the Hon Secretary of State to propose to have the same done, what amt
of Volume in the promissory notes of the government will you have the
same done, and delivered to this Department by the first of Octr
next, please inform this Department as early as practicable

Respectfully yours
Jos Waples C.C. & S

To
Chief Justice
Harrison Co-
Commission
transmitted

To the Hone.
Chief Justice, Harrison County,

Department of State
Austin 15th Feby 1840

Sir,

By instructions from the Secretary of State, I herewith transmit You a commission for George Hay Sheriff, C. S. Andrews, Clerk of County Court, Obe Nendrick, Clerk District Court, and John B. Campbell Coroner, which you will deliver to them respectively, after they shall have executed a bond in accordance with Law, — also eight Commission for Justices of the peace of your County, which you will please deliver. —

In all cases of an election for Civil officers it is requisite that the date of election is stated in your returns, also the Militia beat or precinct, for which Justices of the Peace are elected. —

The Laws shall be forwarded as early as a safe Conveyance can be had. —

Respectfully Your obt Servt
Joseph Waples, Chf Clk Dept State.

To
C. Justices
F. Bend Co:
Commission
transmitted

To
Wyley Martin,
Chief Justice, Fort Bend County,

Department of State
Austin Feby 20th 1840

Sir,

Laws of the 14th Inst and 3d Inst were this day received. By instructions from the Hone Secretary of State, I herewith transmit a commission for John R. Morton, as sheriff of Your County which you will please deliver him after he has executed a bond according to Law. Also a Commission for a Justice of the Peace

Respectfully Your obt Servt
Joseph Waples, Chf Clk Dept State

To
R. W. Burnet
Commission as
Consul &
instructions
transmitted

To
R. Wallace Burnet.

Department of State
Austin 15th Feby 1840.

Sir,

I have the pleasure herewith of transmitting You a commission as Consul for the Republic of Texas for the Port of Cincinnati, together with Consular instructions, which I hope may suit your Convenience to accept.

You will please forward your bond in accordance with the instructions, to this Department as early as practicable,

Respectfully, Your Obdt
Servt
Abner S. Lipscomb, Secty of State.

To
Commander
J. Hamilton
Proclamation
transmitted

To Commander Hamilton
Of Her Majesty, Royal Navy

Department of State
Austin 14th Feby 1840

Sir

The President of the Republic

of Texas, has been pleased to issue the enclosed Proclamation, and he directs me to assure you, of his earnest and sincere desire that it may be satisfactory to the Queens Government, and that you may be successful in accomplishing, to its fullest extent, the object of your Mission, and further, to assure you that, the policy of this Government, will at all times Guarantee the most decided co-operation, with the Queens Government in preventing, or punishing all such infractions of the Laws.

I have the honor to be with great respect
Your obdt Servt
Abner S. Lipscomb, Secty State

Department of State
Austin Feby 20th 1840

To John D. Swain Esqr
Collector Port of Sabine

Sir, You will be informed by the Presidents Proclamation, that certain British Negroes are suppo= sed to be held in Slavery Contrary to Law in this Republic. It is deemed very important, that if any such there should be, that they should be delivered, up to Commander Hamilton, so that they may be restored to the Country from whence, they Come. It is supposed that Some of the negroes are now in your Vicinity, if so it is expected, that you will afford Commander Hamilton all the facilities in your power to obtain possession of them. And also aid him in procuring testimony of the manner in which Taylor disposed of them, whether as Slaves for life, or for a term of years, by indenture. It is probable that the papers of your predecessors or Some of them, may furnish Some evidence on the subject, and it is Suggested, that any affadavit of Taylor may be found, taken before Mr Rogers, one of the former Collectors, if so there can be no objection, to his taking such affadavit into his possession for the purpose of using it in evidence, he leaving a certified Copy, and receipting for the original

Respectfully your obt. Servant
Abner S. Lipscomb.
Secy of State

Department of State
Austin Feby 10th 1840

To
any To Hon Secretary
re to of the Treasury
Dep Sir
ment

I have the pleasure of informing you of the appo= intment of the Hon Barnard E Bee as Chargé d'affaires of the Republic of Texas near the government of the United States, and request you to furnish him with a draft on Genl James Hamilton for his outfit of two thousand dollars, and for one half of his annual salary of five thousand dollars.

Respectfully your obt Servt
Abner S. Lipscomb Sec of State

Re
J. M. Crugers
relative to
publishing
the Laws of
4th Congress

Department of State
Austin 2nd Mar 1st 1840

J. M. Cruger Esq.

Sir

Yours of the 25th Ult to the Secretary of State is now before me, he is absent attending Court at Washington. He left with me instructions to receive and answer officially all letters on business to the Department. I reply to yours as I know he would do. Having conversed with him on the subject, as to publishing the Laws of the fourth Congress, it was well understood that the work was to be done in Austin, and in fact, cannot be done elsewhere for the reason that all the proofs must be examined and supervised by the original copy (which cannot leave the office) in the Department of State. according to the Contract and Bond of Cruger and Bonnell the Laws must be published and delivered to the Department on or by the ninth of April next, and it was presumed when the Contract was made that they were then ready to Commence the work, and a sufficient quantity of Copy has since been ready for them to Commence upon and go on with. It is very much regretted by this Department that they Cruger & Bonnell have been unable to Commence the work before this, as it is very essential to the Country that the Laws should be disseminated at as early a day as possible, and I am under the impression that if the work is not Completed, or under good way towards its Completion by the time Specified in the Contract, that this Department will feel itself necessarily Compelled to seek some other press to do it.

Respectfully your obt Servt
Joseph Waples Chf Clk D. S.

Re
W. D. Wallach
relative to
publishing
the Laws &
payment
for the same

Department of State
Austin 11th March 1840

W. D. Wallach Esqr

Sir,

Your communication of the 29th Ult. was this day received, In answer to your enquiries whether the Department of State requires you to publish all the Laws, and whether the pay is to be Specie or Texas Monies, I can only refer you to the act of Congress, entitled, "An act providing for the better dissemination of the Laws" and published in the Austin City Gazette No 13, a copy of which was forwarded to you by mail from this Department. It requires that all the Laws of the present Congress shall be published, which I understand to include public and private acts; As regards the payment for the same, it is understood by this Department that the pay is to be in the promissory notes of the Government Republic of Texas.

Respectfully your obt
Servant
Joseph Waples
Chief Clerk &
Acting Secretary of State

To A. H. Bryan Esqr
Texan Consul,

Bryan
annexed

Department of State
Austin 12th March 1840

Sir, Accompanying this you will receive two important documents for Mexico. The one
Enclosed addressed to Mr Patenham you will please get the British
Consul at your city to transmit by the earliest possible conveyance.

The other directed to Mr Treat care of E. Burroughs Esqr
United States Consul at Vera Cruz, you will be good enough to
forward as soon as may be. These despatches are of great importance, and I am sure will command your special attention.

Your obedient Servant
David G. Burnet
Acting Secty of State.

Judge Lipscomb the Secretary is temporarily absent on
private business. Since writing the above I have concluded
to envelope the packet directly to Mr Burroughs.

P.S.—

To
E. Burroughs
Esqrs
Enclosed
despatches
for
Mexico.

Republic of Texas, Dept of State
Austin 12th March 1840,

To E. Burroughs Esqr

Sir, I take the liberty of enclosing to you
enclosed despatches of much moment for Mr Treat at Mexico, with
for Mr Treat whom you are personally acquainted. It is very desirable
Mexico. these papers shall reach Mr T as early as possible, & your
attention to the transmission of them, will confer a
favor upon this Government, and upon

Your very obedient Servant
David G. Burnet
acting Secty of State.

To
Chas Bigelow
Esqrs
relative to
his Election
Mayor City

Department of State
Austin March 26th 1840

Charles Bigelow Esqr
Mayor of the City of Houston.

Sir, Yours of 2d Instant
addressed to his Excellency the President was this day received,
of Houston in the absence of the Secretary of State he requests me
& Cond to reply to it. This Department has not received
further official notice of your election for Mayor of the City of
the Peace Houston, and consequently cannot make a commission
for you as Justice of the Peace as such; It is requisite that
a certificate from the Chief Justice of Harris County of
your election be had by this Department, when your
Commission will be forwarded without delay.

I herewith send you a certified copy of an Act
supplementary to an act to incorporating the City of
Houston &c, as per request of Gen Fisher Esqr,

Respectfully Your Obt Servant
Geo W. Hockley
Chief Clerk & acting Secty State.

To Gen. McNeil — Commission transmitted for Dillard Notary Public

Department of State
Austin 30th March 1840

Genl McNeil

Sir, Yours of the 2d Inst came to hand some days since, and would have been replied to earlier but for the absence of the Secty of State, I herewith enclose you a Commission for Mr Dillard as Notary Public for your County, a commission was forwarded for him to Montgomery in January through a mistake of the secretary of the Senate, stating he was appointed for Montgomery instead of Robertson County, You will please hand him the enclosed Commission

Respectfully Your obt Servant
Anson Jones
Chief Clerk Dept State.

To S. Hamilton relative to British Negroes

Department of State
Austin 31st March 1840

To Commander
James Hamilton

Sir

In reply to yours of the 27th ultimo, I have to repeat what in substance, I stated in conversation with you on this subject, you will recollect that you informed me, that you had heard on your way up to this place that a negro had been so taken, and sold by the Alcalde at Hamburg in 1833 or 1834. I then stated to you that a negro brought in at that time and sold, could not be considered, as "being introduced in Contravention of the laws or policy of this Government" as it was at a time anterior to its existence, and before there was any Law prohibiting such introduction, I told you however that if the negro was a free man, on a judicial enquiry (which would be instituted by order of the President) and on the fact of his freedom being ascertained by a jury he would be delivered up, For the purpose of conveying him out of this Government to such place as he should choose to go. If however he is a Slave, the trial of the right of property, in him, must take the usual course of the Common Law. In this respect the Laws of this Country are believed not to differ from those of the Government you represent; If a dispute about the ownership of any personal property should arise in Her Majestys dominions and the claimant a Foreigner, the question of right would be submitted to a jury on the Law and the evidence; If two would be considered a Judicial question of private right; and not international or political. This would be the case in the absence of all Treaty stipulations embracing the subject. This Government will at all times promptly furnish Violations of its Laws, but in matters of private rights, the investigation must take the usual course, and the Courts of this Government are at all times open to the subjects of Her majesty, to assert and establish their rights as freely and effectually as to our own citizens.

I have the Honor to be with great Consideration, Your obedient Servt.
Abner S Lipscomb
Secy of State

Department of State
Austin 2nd Apl. 1840

To
Hon E. Bellinger
Chief Justice Gonzales County

Sir

Yours of the 23rd Ult was received in due time, and I find the returns very imperfectly made out, in the precinct of Gonzales you say Mr Stump received four votes and Mr Kelsoe five votes, but whether for Sheriff or Coroner you dont say, — And for the other precincts you make it appear that Mr Kelsoe has a majority of the votes of the County for Sheriff, and that Dikes have a majority for Coroner, without giving the Christian name of either, or certifying to their elections as such officers, which you will please do and return to this Department. — The resignation of the Sheriff should be made to the Chief Justice of the County who is authorized to order an election to fill his vacancy but it is necessary for him to inform this Dept of the same.

Respectfully yours &c
Abner S. Lipscomb
Secy of State

Chief Justice Gonzales Co. Election Returns imperfectly made.

Department of State
Austin 2nd Apl. 1840

To
Hon M. Hunt

Sir

I most earnestly hope that you may succeed in bringing the Commissioner for the United States to terms with you, as to the starting point in running the line between the two Governments. The point assumed or indicated by you and sustained with so much ability, as the true one, according to the construction of the Treaty, is very important to our right of Jurisdiction, as well as to the Individual rights that may be involved of the Land Holders on the border of the Lake — If however you should fail in obtaining the concurrence of the United States Commissioner you will propose, the second proposition, that of starting at the western debouchment of the Sabine into the Bay or Lake, and running to the 32nd deg of N. Latitude and thence to Red River, this line the thirty second degree of N Latitude, is very important, and from the mouth of Sabine into the Lake can be left as a subject of Negociation. — If however you should fail in both, you are instructed to yield, in the last resort, rather than break up the Commission, to the proposition of the Commissioner on the part of the U States

I have the honor to be with great respect
your obt Servant
Abner. S Lipscomb
Secy of State

Mr. Hunt instruction relative to running the line between U.S. & Texas

Mr. G. Dryden
J. Rowland
Mr. Workman
of
Santa Fe
Road—

Department of State
Austin 14th Apl. 1840

Gentlemen

It being the intention of his Excellency the President shortly to send an expedition to Santa Fe of the Rio del Norte, for the purpose of exploring the best route and opening a communication with the inhabitants of New Mexico, on this Side the Rio del Norte. He has instructed me to solicit your aid in communicating with the people of the country, and town of Santa Fe, and explaining to them the objects of the expedition; This Republic claims the ancient boundary of Texas, from the Mouth of the Rio del Norte to its Source, and is solicitous, that the civilized inhabitants, within its whole limits Should be organized, under a Government of laws, securing life, liberty, and property, Should the inhabitants of the North quietly and peaceably organize under our Constitution and Laws you can give them the fullest assurance of equal protection and equal rights, privileges and immunities. That they will be protected in the enjoyment of their religion without molestation or insult to its rites. That there will be no contributions now forced loans and levies, but that taxation for the support of the Government will be uniform, throughout the whole Republic and determined with certainty, not at the will of any officer or officers, but, by the representatives of the people themselves, and that none can be imposed or required, in any other mode, you can assure them that Since the Battle of San Jacinto, and the defeat and Capture of Santa Anna, the progress of improvement in the strength, and resources of the Government, has been Continued uninterrupted. That the people are happy under the administration of Laws of their own making. That they are free from all internal Commotions. and Secure against foreign invasion. That with harmony of action the interest of the North and the South will become one and the Same, That a relief from a heavy and oppressive impost duties will enable them to purchase such articles of merchandize as they may require, at a much cheaper rate, than heretofore. That the South will be a good Market for all their Surplus Products. That it will be a Short and Commodious Channel of Commerce with the European Merchants. To the inhabitants of the Country known as Pueblo Indians, if they are Cultivators of the Soil, professing the christian faith in any form, you may say that they can either, come under our Laws as citizens with full and equal privileges, or they can be protected in the free enjoyment of their possessions of land, property, and Customs, bound only to peace, and good order in their relations, with the Government. Should it be objected that Indians under our Constitution, Cannot enjoy the rights of Citizenship in the fullest Sense of the term, you are authorized to reply. that the term "Indian" as used in our Constitution, does not embrace Civilized Indians, but applies to the barbarians, only, as by way of illustration, many of our citizens of San Antonio County, are of the Indian race but they are civilized, and enjoy equal privileges and Some of them have filled high offices, and Some are now members of Congress, and in the ~~the~~ of honor, trust, and profit. Your acquaintance with the moral condition, of the Village Indians, and with our laws, will enable you to determine, what position it would best suit them to occupy. It is intended, that the expedition Shall reach Santa Fe, at farthest by the middle of august. It will be

Military essentially in its character; but it will be attended by Commissioners authorized to propose, and carry out the View of the Government, on the principles I have above expressed. The expedition will be prepared to make a survey of the rout, Geological, Mineralogical, and Topographical, and very beneficial results are anticipated. — The President is happy in the fortunate circumstance of one of your number being able to speak from his own observations of the operations of our institutions; He will be enabled to inform his associates, and others of the result of his experience, and of the salutory influence of our Laws. You may assure all the inhabitants, that they will be protected, in all their rights of property and every possible precaution taken to prevent any kind of inconvenience, or annoyance in the enjoyment of them. The President instructs me, to inform you that your services will confer an essential obligation, and will be appropriately acknowledged by this Government. — accept gentlemen the assurances of the great respect with which I have the honor to be.

Your Very obdt. Servant
Abner S. Lipscomb
Secy. of State

To
Capt Wm G. Dryden
John Rowland & Wm Workman Esqrs

Department of State
Austin 13th Apl 1840

To
Alex La
Branche
relative to
the accept-
of Resignation
by M.S.L.
Dft —

Sir

I have the honor to acknowledge the receipt of yours of 2nd Inst. informing this department that the President of the United States had been pleased to accept your resignation of the office of Chargé d' affaires, near this Government, and I am instructed by his Excellency President Lamar to assure you, that he sincerely regrets, that it had not suited your convenience to have continued longer your official relations with his Government — Your candid, frank, honorable bearing in the discharge, of the high responsibility reposed in you by your Government, and your friendly social intercourse has been such, as to leave an impression, not only of your great merit, as the representative of your Government, but likewise of your moral worth, that cannot be effaced. Your appointment and arrival in this Country forms an epoch in its annals, as enduring, as the Archives of our Government, and must ever live fresh in the recollection of the grateful heart of every true patriotic Texian, — You were the first accredited minister from the first Government that acknowledged our independent existence as a nation.

For myself permit me to assure you, I consider it my misfortune that Circumstances have prevented the forming any other acquaintance than an official intercourse, with you, as nothing would have afforded me more pleasure, than to have become personally acquainted, with one who sustained the friendly relations between the two Governments, with so much credit to himself and his Country, and with so much satisfaction to mine — accept sir the assurances that you carry with you, the best wishes of the President and every member of the Cabinet, for your future Success and happiness in life, and allow me to tender to you the renewed declaration of the great respect and sincere esteem with which I have the honor to be

your obt Servant
Abner S Lipscomb
Secy of State

Hon Alex La Branche

Republic of Texas
Executive Department
Austin 14th Apr. 1840

To-
Citizens of
Santa Fe
Printed
address-

To the Citizens of
Santa Fe
Friends and Compatriots

You have doubtless heard of the glorious revolution by which the late Province of Texas has been emancipated from the thraldom of Mexican domination.

That Revolution was forced upon us by Circumstances too imperative to be resisted. The Anglo American population of Texas had left the comforts and the enlightened liberty of their own country, and had migrated to this Wilderness under the most solemn guarantees of the constitution of 1824. We had witnessed many disasterous Civil commotions in the Government of Mexico, and greatly deplored the want of Harmony, and the frequent Convulsions which distracted our adopted Country. But we still entertained an illusive hope that a dear bought experience.— The lessons of many Calamities— would exert a harmonizing influence, and teach the authorities of Mexico that frequent political changes and domestic discords were destructive of the prosperity and character of a people— that Union and Stability were necessary to strength; and peace and Harmony, to Happiness.— These Hopes, so long and patiently cherished, were finally dissolved forever, when the Federal Constitution under which we had migrated to the Country and identified our destiny with Hers, was forcibly abrogated, and a Military despotism reared in its stead, Texas then resolved to be free— to endure no longer the Vicissitudes of a fickle and Corrupt influence which Controlled the Powers of Mexico, Subverting all Hopes of her greatness, and all our native aspirations for tranquility at home, and National respectability abroad.— Impelled by these high Considerations, which a benignant Providence has Sanctioned by Conferring an unexampled prosperity upon us, we have asserted and achieved our Independence, and have entered the great Family of nations as a free and Sovereign people.

As such we have been formally recognized by the illustrious governments of the United States, and by the ancient Monarchy of France; and other Powers of Europe are ready to extend the right Hand of Fellowship. Our national resources are in rapid progress of development, our population increasing by numerous accessions from Europe and the United States, and our Commerce extending with a power and celerity seldom equaled in the history of nations.—

Under these auspicious Circumstances, we tender to you a full participation in all our blessings.— The great River of the north, which you inhabit— is the natural and Convenient boundary of our territory, and we shall take great pleasure in hailing you as fellow citizens, members of our Young Republic, and Co aspirants with us for all the glory of establishing a new and Happy and free nation. Our Constitution is liberal as a rational and enlightend regard to human infirmities will safely permit. It confers equal political privileges on all; tolerates all religions without distinction, and guarantees an even uniform and impartial administration of the laws.

This Communication, I trust will be received by you and by your publick

authorities, in the same Spirit of Kindness and Sincerity in which it is dictated. And if nothing shall intervene to vary my present intention, I shall despatch in time for them to arrive in your section of Country about the month of September proximo, one or more Commissioners, gentlemen of worth and Confidence, to explain more minutely the Condition of our Country; of the Sea Board, and the Corelative interests which so emphatically recommend and ought perpetually to Cement the perfect Union and identity of Santa Fe & Texas. These Commissioners will be accompanied by a Military escort for the purpose of repelling any Hostile Indians that may infest the passage; and with the further view of ascertaining and opening a Safe and Convenient route of Communication between the two Sections of Country which being strongly assimilated in interest, we hope to see United in Friendship and Consolidated Under a Common Government.— Until the arrival of these Commissioners. I have empowered some of your own Citizens.— to whom the Views and feelings of this Government have been Communicated, to confer with you, upon the Subject matter of this Communication &c

Mirabeau B Lamar

To
C. Justice
Bexar Co.
Commission
transmitted

Department of State
Austin 5th May 1840

To the Honorable
John S. Simpson, Chief Justice Bexar County.

Sir, Accompanying this You have a commission for G. T. Howard as Sheriff of your County, which you will please deliver to him, after he has complied with the law, in giving bond &c.

Respectfully
Your Obt Servt
Joseph Waples, Chf Clk Dept State.

To
C Justices
Jasper Co.
Commissions
transmitted

Department of State
Austin 6th May 1840

To the Hon. M. B. Lewis
Chief Justice, Jasper County.

Sir, Accompanying this are two Commissions for Justices of the Peace for Jasper County which you will please deliver to them. In all cases of an election of Justices of the Peace, it is necessary for you to state in your certificate or returns to this Department, the precinct or Militia beat for which they are elected, so that their Commissions may be made to correspond

Respectfully, Your obt Servt
Joseph Waples
Chf Clk Dept. State

To
C Justices
Com Co.
Commission
transmitted

Department of State
Austin 6th May 1840

To the Hon. Chief Justice
Harris County,

Sir, Accompanying this you receive a Commission for Chas Bigelow, as Justice of the Peace &c which please deliver him,

Respectfully Your obt Servt
Joseph Waples, C. C. & S.

To
Gen. N. Smyth
Commission
transmitted
to run boundary
line. to be in
force in the
event of
Genl Hunt's
resigning,
withdraw,
&c &c. &c

Department of State
Austin 1st May 1840

Sir,

His Excellency the President has been informed that General Hunt, had made a verbal declaration of his determination not to obey the last clause in his instructions, of the 2d April last and that sooner than do so he would resign.

I am instructed by the President, to forward a Commission to you, only to be in force in the event of General Hunt's resigning, or absenting himself from the Commission, Should that contingency happen, you will take on yourself the same powers, and act under the same instructions, conferred on and given to him, For your information I enclose a copy of the last instructions given to General Hunt. I most sincerely hope, that the U States — Commissioner will accept one or the other of the propositions made to him, and that Genl Hunt may continue to act, until the object of the Commission has been effected. Should this however not be the case, and, he should withdraw, resign, or absent himself; it is the wish of the President, that there should be no unnecessary delay, but that you will concur in the starting point proposed by the United States Commissioner and proceed with running the line. It is of great importance, to ascertain and open the thirty second parallel of North Latitude as soon as possible, It is not only essential to the rights of our Citizens, but, also to the peace, good order, and tranquility of that frontier.

I have the honor to be with great respect
Your obt Servt
Abner S. Lipscomb
Secretary of State

To. George W. Smyth Esqr
Surveyor, & Boundary line, —

To
J H Cruger
relative to
printing the
Spanish
translation
of the Laws
of Texas

Department of State
Austin 5th May 1840

To J. H. Cruger Esqr

Sir,

I am instructed by the Honorable Secretary of State, to say to you, that as the printing of the Spanish translation of the Laws of the Republic of Texas, is to be done under the superintendance of A. P. Andrews Esqr the translator, as per his Contract, that it is necessary for this department to be assured by a certificate from Mr Andrews that the Copy sent here was superintended by him and is Correct, before the case appears the account for payment. Therefore you will get Mr Andrews certificate and have it forwarded.

The Secretary has some doubts as to his right to pay for any of the work until all is completed, as it is not so specified in the contract with you

I have the honor to be, Sir
Your obt Servt
Joseph Waples
Chief Clk Dept State

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Department of State.
Austin 7th May 1840

Extract.
Post Office Department
Postage
Forwarded
Free

I am instructed by the Hon Secretary of State to enclose herewith sundry packages, and letters, with the request that you will have them forwarded as per directions.— you will find one package without any direction, etc, for your facilitation, you will please direct it according to the instructions to you, the two packages addressed to Genl Hunt and G.W. Smyth, the Secretary requests you to have forwarded with the least possible delay, and if no opportunity immediately offers, he wishes you to have them sent by express, and suggests that the most speedy conveyance of such, would be by land from Belview Point, provided a horse can be obtained there, and any reasonable expense you may incur will be acknowledged by the Department, they contain documents of great importance to the Government.— We have no news, all quiet, but moon light nights are coming.

I.P.J.

Respectfully your obt Servt
Isaac Van Zandt

in this package are two separate letters of same date one for Genl Hunt the other for Mr Smyth

Department of State Austin 7th May 1840

To
Col. Memucan Hunt
Instructions
To
Genl. George W. Smyth Esq.
Instructions
To supersede
Genl Hunt
as Com.
to run
boundary
line between
U S & Texas

My letter to you of the first of the month, I have been instructed by the President to inform you, that Genl Hunt had been duly appointed, and that you will act under the Commissions, forwarded of that date. you were also ask the concurrence of the United States Commissioner, to Genl Hunts first proposition, which was to run midway up the outlet from the Sabine Lake into the Gulf, and through the Lake, to where the Sabine empties into it, and then with the west bank, to where the thirty second degree of North Latitude crossed it thence due North to Red River.— If you cannot succeed in obtaining the assent of the Commissioner, to this proposition you will then propose to commence, at the debouchment of the Sabine into the Lake, on the west bank of the River, and from thence up to the thirty second degree of North Latitude, and thence due North to Red River, and to leave that part of the line from the head of Sabine Lake down to the Gulf open for future negotiation. If however you should not succeed in these propositions, you are instructed to accede to the proposition made by the Commissioner for the United States, and proceed with the line with as little delay as possible. This new arrangement disagrees with the necessity of any reply from me, to yours of the 18th March, which was not received until last night.— The selection of some competent person to succeed you as Surveyor is left entirely to your discretion, and you are authorized to make such appointment. If you should not be able to procure one conveniently and you find willing and able to execute the services, you may perform the duty yourself, rather than be delayed, but it is by no means, the wish of the President to impose that labour on you.— General Hunt has been instructed to

to turn over all papers, instructions, and property belonging to the Government to you, I shall be pleased to hear from you, as soon as you have agreed on the starting point for running the line.

I am Sir very respectfully
your obt Servant
Asher G. Lipscomb

Department of State
Austin 7th May 1840

To
Mr. Hunt.
superseded
as Comr by
G.W. Smyth
to run boundary
line between
U.S. & Texas

Gen. M. Hunt.

Sir

I have been instructed by the President to send you the enclosed Copy of a letter addressed to him by Mr Trapiles, the Chief Clerk in this Department. I am further instructed by the President to inform you that you have been superseded in the office of Commissioner, for running the line, between this Government and the United States of America, by the appointment of George W. Smith Esq to that office; you will therefore turn over to him, all the papers documents instructions &c belonging to the Commission, and also all the property belonging to the Government under your Control

I am with great respect
Your obt. Servant
Asher G. Lipscomb
Secretary of State

Department of State
Austin 27th April 1840

To
President
of Texas
relative to a
verbal
Conversation
between
Mr Hunt
& Trapiles

To His Excellency
the President

Sir

When at Galveston a few days since, I called on Genl. Hunt and asked if he had any Communications to the Government at Austin as I was going there in a few days and would take them for him if he had. He said he had nothing to Communicate in writing, but that he would send by me a Verbal Communication to the Secretary of State; which was, that the instructions he had received from that Department, a few days since. he did not know until he was some sixty or seventy Miles from Austin, and that upon his arrival at the Sabine, he should endeavor to have the question settled as he had heretofore proposed, and in accordance with the former instructions received, and with the first part of those he then had, and should he not succeed in that, he should resign his Commission, for he could not think of obeying the latter part of them, as he alone would be responsible for his acts in the case to his Government, and that the probability was that Judge Overton the United States Commissioner would not accede to his proposition, and consequently he expected his resignation would soon be forwarded to the Department &c— I replied, that he should have communicated this to the Secretary of State before he left Houston, or that he had better write him to that effect, as such Communication could always be made better in writing than verbally, to which he said it was not necessary, as I was going directly to the Seat

To the Secretary of State relative to Copies of the papers of the New York Texas Land Co.

Department of State
City of Austin 10th Dec. 1840

Sir

I thank you for the papers relative to the New York, Texas Land Company, & return you the originals and ask the favor of you to certify to the correctness of the copies. The blank piece of Deeds cannot be copied, and should be much pleased if it could be deposited in this Department, but not knowing how important it may be to you, have retained it. Will you have the goodness after certifying to the correctness of the copies to transmit them to this Department

I am Sir with great respect
Your obedient Servant
Abner S. Lipscomb
Secy of State

To
A. Roulett Esqr

Department of State
Austin May 3rd 1841

Sir

I am instructed by the Secretary of State to send you an extract of a letter from our Minister at Washington, relative to claims of sundry Citizens of Texas, as presented by you, for yourself and others, to this Department on the 5th January last, as follows,

"In case the question of the liability of the United States now urged, and the Government after a protracted discussion, should allow the claims, their payment could only be effected through a "appropriation by Congress, and might occasion a delay of one "or two Sessions. The course indicated by the Secretary of State "of the United States, is the shortest, and perhaps the surest, "by which the money can be taken out of the treasury due to the Citizens "Therefore the Claimants should prepare the evidence of their claims "in strict adherence to the rules of taking testimony in such cases, "and have it forwarded to the Representative of Texas at the Washington "or this Government. The Claims received from a mere statement of the "of the Parties, without any accompanying evidence of the "matter how insignificant would probably never be, by the American "States Government, and never feel authorized to receive such a "Statement as a substitute for legal testimony."

You will perceive from this the necessity of having the Record

properly testified to before some authority competent of taking evidence, and have them forwarded to this department, proceedings. they will without delay be transmitted to our Representative at Washington, for further investigation

I have the honor to be
Respectfully Your
Obedient Servant
Joseph Waples
Chief Clerk Dept. State.

Republic of Texas
Department of State
Austin 20th May 1840

To
Chas. Forbes.
acceptance
of resignation

Chas. Forbes Esqr.

Sir

Yours of the 2° ultimo tendering your resignation of vice consul of this Republic, for the Port of New York Port of N York has been received and the request acceeded to. You will hand over to augustus M Radcliffe Esq the Consul of the Republic of Texas for New York, all papers and documents in your possession belonging to the Consulship,

Respectfully Your obt Servt
Abner S. Lipscomb
Secretary of State.

Department of State
Austin 23rd May 1840

To
J. N. Bruger
relative to
settlement of
account
&c-

J. N. Bruger Esqr

Yours of the 14th instant per Mr Abbott was this day received, I have asked the advice of the attorney General relative to your account who advised me that I could only give a draft for you at the market price of the promissory notes in this City at this date, which is 20 cts per dollar or five for one, But leaving the account open for further investigation upon a final settlement with you— I accordingly have drawn for two thousand seven hundred and eighty two dollars on the Treasury, it being equivalent to five hundred and sixty five dollars Specie, after deducting one & half per cent, as per contract, for which amount I have taken Mr. abbotts receipt

Respectfully Sir
Your obt. Servt
Joseph Waples
acty Secy. State.

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Dept State, June 13th 1840

To J. W. Kruger Esqr

relative to publishing Laws

Sir, I recd a letter a day or two since from Judge Lipscomb, saying he had concluded to have the Laws of the Republic of Texas, published at the Telegraph Telegraph Press in Houston, and instructed me to furnish you with Copy— I this day deposite in the Post office, all the Numbers of the Austin City Gazette (except one of half sheet date 8th April containing a part of the Probate Law, which I presume you have) containing the Laws,— An act in No 14— will show you the order in which they should be published;— but to Comply with the letter of that act the department is not able, not having been furnished by Congress with the date on which the several laws were passed.— all acts except those expressly for the relief of Individuals are Considered as general laws, and will be published in the first part of the book with the Indexes Corresponding,— The balance of the General acts will be furnished you together with the relief laws at as early a day as practicable.

account for publishing Spanish translation

The Judge requested me to lay your account relative to publishing the Spanish translation of the Laws of the Republics, with the Contract, before the attorney General, which I did upon its receipt; his opinion was "that you had already been allowed quite as much as you were legally entitled to for said work, and that had it been done as per meaning of the Contract it would not have cost, perhaps more than 4 to one, as it was supposed when the Contract was made that it would have been completed by or during the Month of March at farthest"—

You will please inform the Department when you have received the Copies of the Gazette referred to in the foregoing;— You will please correct any typographical errors in the Copy—

Respectfully Your obt Servt
Joseph Waples
Chf Clk & acting Secty State

No.

Rec'd of Treasury— showing the names of the several Diplomatic Agents &c

Department of State
Austin 13th June 1840

To the Hon'l
Secretary Treasury.

Sir, Your note of Yesterday's date, asking a statement showing the manner of the several diplomatic agents &c is before me and the statement requested, is as follows, as nearly as can be ascertained from the Records of the Department.

William H Wharton was commissioned as agent "to Negotiate with the Government of the United States for Recognition, Annexation &c on the 18th November 1836, per mission

permission was given him to return home on 28th February 1837. The time he left the agency we have no record, but he was in Washington as late as 5th March in his official capacity.

Gainsay Catlett, Commissioned Secretary of Legation to U. S. 13th Decr 1836 and continued until about the middle of October 1838, — He was acting in capacity of Chargé d'affaires from 13th March to 26th June 1837 while Genl Hunt was absent without leave. Also from about 20th April to 23d August 1838.

Memucan Hunt Commr as Agent to negotiate with the U. S. for Recognition, Annexation &c, on 31st Decr 1836, and subsequently as Minister Plenipotentiary and Envoy Extraordinary to the U States, He resigned on the 5th June 1838. accepted to take effect from date.

Genl J. Pinckney Henderson, was commissioned as Agent to the Governments of Great Britain and France on the 20th June 1837. he claims pay from 12th June, that being the day on which he started. Returned home in February 1840.

George L. McIntosh Commr as Secretary Legation to Great Britain and France dated 20th June 1837. Took charge of the Legation in France as Chargé d'affaires about 24th October 1839, and is still acting in both Capacities.

Peter W. Grayson, Commr Minister to the U States 12th June 1838. did not accept.

Anson Jones, Commr, Minister to U States 23d June 1838. Arrived in Washington 23d August, Recalled 14th March 1839. left Legation about 15th May 1839. —

Col W. H. Wee, Commr Minister to Mexico 20th Feby 1839

George L. Hammeken, Secty Legation to Mexico Commr about 12th March 1839. claims pay for one years services.

Moses Austin Bryan, Commr Secty Legation to U. States 14th Jany 1839 left legation about 15th May 39'

R. G. Dunlap Commr Minister to U States 13th March 1839 arrived at Washington about 15th May 39' left the Legation 20th April 1840.

Same Roberts Secty Legation to U States, Commr 12th March 1839. left legation about 20th Feby 40'

Mathl Armoy, commr Secty Legation to U States 18th Decr 1839.

Sandy Hamis, was for a time Private Secretary to General Hunt. afterwards acting Secretary Legation at Washington from middle october 1838 till 3d February 1839.

General James Hamilton Commr to act in concert with General Henderson as agent of Texas in France and England 20th May 1839. — also as Special and confidential agent to Great Britain 21st Decr 1839. Also agent to treat with Belgium 18th April 1840.

Genl Jas Hamilton & Albert H. Wemby commrs to negotiate with France relative to Loan, date April 1st 1840.

The opinion of the Attorney General is, that in the case of Ministers and Chargés d'affaires, their pay should commence from the date they take charge of the Legation, as it is supposed the intention of the outfit is to cover the expenses of traveling and pay for stations; but that they should have pay for the time they are detained home after being recalled, allowing a reasonable time to do so. But in the case of Secretaries of Legation, they not being allowed an outfit, should receive pay from date of Commission till return home.

I have the honor to be Sir, with great respect

Your obdt Servt

Joseph Waples

Chief Clk & acting Secty State.

To
Wm Seguin
relative to
publishing the
Spanish
translation

Department of State
Austin July 1st 1840

John N. Seguin

Sir, Yours of 21st June is at hand, making enquiries relative to the publication of the Spanish translation of the laws of the Republic; I regret to inform you that they are not yet completed, but the Department has been informed that they are now in a good way of publishing and will soon be done, and as soon as they are, a number of them shall be forwarded to your County, the reason of the delay has been occasioned by the want of paper, which could not be obtained in New Orleans until recently; the laws and Journals of last session are not yet printed from the same cause

With much respect, I am
Your Obdt Servt
Joseph Waples
Chief Clerk & acting Secretary State.

To
M. Chevalier
Friedrichstal
relative to
furnishing the
above W— to
Of this

Republic of Texas, Department of State
Austin July 1st 1840

Le Chevalier Friedrichstal,

Sir, A letter has been received from the Legation at Washington City requesting this Department to forward to you at Philadelphia, a set of the laws promulgated by authority of this Republic, which with such other publick papers as can be found, obtained relating to the political state of this Country, has been Journals to this day forwarded to you as per request.

Of this General Court of Mississippi is now publishing a Statute book, which when completed will contain all the Statutes relative to this Country, then any other work which may be

With great consideration I have the honor to be
Sir, Your most obedient Servt
Joseph Waples
Acting Secretary of State.

To Cruger & Moore relative to publishing the Spanish translation of the Laws &c.

Department of State
Austin July 24th 1840.

Gentlemen,

We have constant enquiries made about the Spanish translation of the Laws of the Republic, when they will be published & distributed &c &c. Will you be kind enough to inform the Department when they will be done, in order that we may answer these enquiries &c. Also I wrote you for Mr Clarke for information relative to printing the Journals, whether they would be done here or at Houston, it is necessary we should know, in order to make arrangements about the Copy. Also please say about what time the laws of last session may be expected to be done. To the above enquiries you will please give an immediate answer.

Respectfully, Your Obt Servt
Dan'l Maples
Chf Clk & acty Secty State

To Messrs Cruger & Moore
Houston.

To President of Texas relative to issuing proclamation for Election of Senators & Members of H. of R.

Department of State
Austin July 25th 1840

To His Excellency
The President

Sir

Finding the time for issuing a writ of election for Senators and members of the House of Representatives to the next Congress, has approached and deeming it necessary that a writ should be issued without delay, in order that the notice may be given in due form to the extreme distant Counties, I have despatched by express per Mr Collier several proclamations or writs, for your signature, with instructions to him to have them forwarded without delay after being executed. = I have despatched this express upon the advice of the Atty Genl who considered it of the utmost importance to be done

Respectfully your obt Servt
Joseph H. Maples.
Chf Clk & Actg Secy of State

To A. A. Collier despatches with documents to the President

Department of State
Austin July 25th 1840

To A. A. Collier Esq—

Sir

You will proceed to Houston, Galveston, Richmond or wherever you may hear that His Excellency the President is, with the documents herewith handed you, and obtain thereto his signature, and when so done, you will have them mailed as per envelopes from Houston. If you should not meet the President or hear of his being on his way by some other board, before you arrive at San Felippe, you will there proceed to Richmond, where you will probably hear

from him, if he is not there you will pursue your journey to wherever he may be, as it is of the greatest importance that these papers should be signed.= If you are lacking for funds for your necessary expenses you are authorized to draft on the Department of State for the deficiency.=

Respectfully your obt Servt
Joseph Waples.
Chf Clk & Acting Secy of State

Department of State
Austin 25th July 1840

To Editor of Telegraph.

To the Editor of Telegraph

Sir

You will please give the Proclamation relative to election three insertions in your paper, and forward one copy with the first insertion to each Chief Justices of the respective Counties of the Republic marked so as to attract his notice (—) the direction this.

To Hon: Chief Justice
of the County of

per order of Secy of State.= Your compliance to this request will Confer a favor on the Govt.

Respectfully
Joseph Waples
Actg Secy of State

Relative to Publishing President's Proclamation

Department of State
Austin July 29th 1840

To B. F. Neill

To B. F. Neill Esq.

Sir

Relative to Civil County Officers receiving Com.s in the Federal Army

Yours of 1st inst directed to the President, stating that several Civil officers of the County of Refugio had joined the Federal Army and had received Commissions &c and asking advice of the Executive of the Course to be pursued by you, relative thereto, is now before me.= In the absence of the President, your letter has been laid before the Hon Atty Genl, who advised me to say to you that the Government would not recognize as any officer, any marauding man who had left his position as such, or who had receive a Commission from any foreign State or Power. Consequently all such as spoken of in your letter that have joined the Federal Army or have received Commissions from the Government of Rio Grande, have vacated their offices in the Republic of Texas — and all such vacancies you will proceed to have filled according to Law, by election or otherwise, if any such are by appointment by the President you will report the same to this Department.— as regards the latter Clause of your letter relative to persons calling themselves Federals traversing your County.— I can at present only advise you, to enjoin it upon all Civil officers to use strict vigilance in preventing depredations from being committed and as soon as the President and Secretary of State, returns home and we are daily expecting them, your

Relative to Federals

Respectfully

letter shall be laid before them, who will doubtless give you further and more general instructions.= Your letter to Secy of State of 7th July is also received.= Very much regret to inform you that the laws of last Session are not yet published in pamphlet form, and I am not enabled to obtain a file of Newspapers containing them.= But that they are now in a fair way of being published, and as soon as done you shall be furnished a Copy.=

Respectfully yr obt Servt.
Joseph Waples.
Acting Secy of State

To.
Secy of War
relative to
disposition of
Padre Garcia
Prisoner.

To the Hond. T. J. Archer.
Secty of War.

Department of State
10th August 1840.

Sir, On yesterday you did me the honor to ask my council, as to what disposition you ought to make of the Prisoner, 'Padre Garcia' sent to you by the Military Commander at San Antonio. I then advised you, to keep him in close confinement until the arrival of the President. You have just informed me, that you had resolved to send him immediately back and direct him to be turned over to the civil authorities. Under ordinary circumstances I should interpose no objection to that course; but as we have reason to believe, that the prisoner is one of many concerned with him in a treasonable correspondence with the enemy, and that it is so well known, that, even its notoriety is offered as an excuse, and apology for the treason. I am therefore of the opinion that strong measures ought to be resorted to, and must therefore respectfully reiterate the opinion I had the honor to express on yesterday.

I am Sir, with great respect
Your Obedient Servant
Abner S. Lipscomb

To
Chargé d'
of the U. S.
Exequatur
transmitted
for
C. S. Wallack
Consul Port of
Matagorda

Department of State
City of Austin August 15th 1840

Sir, I am instructed by the Hon. Secretary of State to enclose to you an Exequatur for Charles S. Wallack, Consul of the United States of America for the Port of Matagorda in this Republic, which accompanies this.

I have the honor to be Sir
Your Obt Servt
Joseph Waples
Chf Clk Dept State

To the Hond
Geo H Flood
Chargé d' Affaires
of the United States of America

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To
B. Vansickle
relative to the
field notes

Department of State
Austin 15th August 1840

To B. A. Vansickle Esqr

Sir, I am instructed by the Honorable Secretary of State (Judge Lipscomb) to say in reply to yours of 6th Sept 1839 (of 11 Leagues of land which he was under the impression had been answered by Judge Burnet) Viz. that it is not necessary to have the field notes of the ten leagues of land you have surveyed for the Government records in the County Surveyors Offices, but that they should be sent to the General Land office at this place. If they have not previously been forwarded, Judge Lipscomb requests that you will please give some attention to having it done, as it is of importance to the Government to have them as early as practicable.

Respectfully Your Obdt Servt
Joseph Waples
Chf Clk Dept State.

To the Chief Justice of the County of ———

Fr. (A copy sent to each of the Chief Justices in the Republic.)
C. Justices
relative to having 3 Leagues of Land Surveyed in each Co. for education

Department of State
Austin 15th August '40

Sir, On the 29th May 1839. a letter was addressed to the County Surveyor of each County of the Republic instructing him to locate and survey three leagues of land, in accordance with the act entitled, "An act appropriating certain lands for the establishment of a general system of education. approved 26th Jany '39 Although they were advised of the propriety of making the Surveys with all possible diligence, and make their returns without delay, and in accordance with the act; I regret to say that no return has yet been received at the Genl Land office. I am instructed by the Hont Secty of State, to request that you give your attention to the subject, and have the lands surveyed without delay and the returns made accordingly, as it is of great importance it should be done before the convening of Congress.

Respectfully Sir
Your Obdt Servt
Joseph Waples
Chf Clk Dept State.

To
the Justices
Travis Co

Department of State
Austin 18th August 1840

To S. M. Smith Esqr
Chief Justice Travis County

Sir, An Act passed by the relative to third Congress of the Republic, entitled "an act appropriating certain having 3 lands for the establishment of a general system of education, approved Leagues of 26th January 1839." gives (as you will see by a reference thereto) to Land &c. each County of the Republic three leagues of land, for purposes therein Education specified. I am instructed by the Secretary of State, to request that you give the County Surveyor of your County the necessary instructions to have these lands located and surveyed. This liberal appropriation by Congress if Judiciously managed will prove of immortal interest to the Citizens of Travis County, therefore the greatest necessity that it should not be delayed. Although Travis County has been

nearly since the passage of the above named laws, and may perhaps be considered as not coming under its provisions, yet the Secty of State has no doubt that Congress at its next session (when the subject shall be laid before them) will approve the course pursued, and pass an act relative thereto.

Respectfully, Your most Obt Servt
Joseph Waples
Chf Clk Dept State

To Wm H Hunt Esqr
Surveyor,

Department of State.
Austin 19th August 1840

To Wm H Hunt relative to Surveying 40 Leagues University Lands &c.

Sir

It is hoped you will without unnecessary delay proceed to locate and survey forty leagues of Land for the support of the Universities, under the act of Congress of the 26th January 1839. You are authorized to make the locations and surveys on lands not appropriated by individuals any where in the Republic, and in such number of acres in each survey, as may be found most convenient, not in a less quantity in any one tract than one half League, the land must be of a good quality.

In all respects not modified by these instructions, yours will be governed by those of 26th July 1839. It is probable that you will be able to locate a great part of the lands on the waters of the Brazos in and about the Cross Timbers. It is very important that your returns should be in time for the next Congress, and it is sincerely hoped that no exertions will be wanting to accomplish this desirable object.

I am, with great respect
Your Obt Servt
Abner S Lipscomb

To A. H. Cruger relative to the Laws printed distributed &c

Department of State
Austin 23d August 1840

To A. H. Cruger,

Sir

I sincerely hope you have the Laws of the last Congress printed by this time, the people are becoming very much dissatisfied at their not being sooner distributed. I wish you to send the number of copies to which each of the Counties are entitled, whenever a safe opportunity offers, taking a receipt for the same, I hope you will omit no exertions on your part to have them sent up as soon as practicable.

I am respectfully Your Obt Servt
Abner S Lipscomb

P.S. I wish you to send by mail, one copy to each of the Clerks of the District and County Courts in the Counties east of the City of Houston, endorsing on the envelopes "by direction of the State Department" this will enable them to be received sooner than if transmitted from here.
A. S. Lipscomb.

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To
H. H. Cruger Esq. Att. Cruger's Copy

Department of State
Austin 24th August 1841

Sir, Herewith do you receive the laws of the fourth Congress, so far as published (Page 176) and a corrected list of the Counties, with the number of copies of laws that each is now severally entitled to, which the Secretary of State wishes you to distribute, forwarded as soon possible, to be addressed, thus.

"To the Honorable Justices of the County of ——— Laws of the fourth Congress, per order of Secty of State".— They will have to be forwarded in packages of two or three in strong envelopes, otherwise by the mail they will be destroyed. Where more than one copy is wanted, you will have to write to the Justices for them in that way.

Respectfully Your obt. Servt
Joseph Waples
Chf Clk & Depy Secty State.

To
C. H. Cruger Esq
on proof of
and detention.

Department of State
Austin 5th Sept 1840

Sir, In making a thorough examination of the enclosed Law, "An act to provide for the redemption payment of the promissory notes &c," has not been published in the books, Gov Cruger will have it done; Annexed is an extract from page 176 to the close of the general laws.

Account— I am instructed by the Secretary of State to say, with regard to the account presented for payment for $875: that, it was his understanding of the matter, that you did not ask any advance for more than the cost of the work, as per the writing of the Contract with Messrs Cruger & Bennett, and that so far as the work has progressed, he has already, some more than paid that amount, but he bids me say, that so soon as he has evidence that the General Act are published, and stitched together and they forwarded to the Department, he will then pay over the balance that may be due for said work; and any additional compensation, to make up for the depreciation of the Currency which you may claim or exact, you will have to apply to Congress for.

Mssrs Bennett has not paid for or replaced the papers to this Department, photos of certain pages were here, and in accordance with the verbal agreement between you and the Department, the account of the cost will be withheld and the final account presented for payment.

Respectfully Your obt. Servt
Joseph Waples
Chf Clk Dept State.

Mr. Upshur
relative to the
purchase of
Thos Pierce
from the
Comanches
by a
Chickasaw

Department of State
City of Austin 15th Sept 1845

Sir

I have been instructed by his excellency the President to acknowledge the receipt of your much esteemed favor of the 18th June and to make an assurance that he justly appreciates your kind regards to the confederate Texan Republic, and he hopes that you will have the goodness to assure the Chickasaw that he has confidence in being received favor on the citizens of this Republic, by the interest he has so generously manifested for the unhappy captives and especially for the Comanches, and that he will be paying compensation for his expenses and trouble in relieving from bondage the little boy Thomas Pierce.

The President is authorized by law to redeem prisoners from the Indians, and the law does not limit him to any specific amount, leaving it to be governed by the circumstances of each case.

From the information received from a Mr. Nichols, who made her escape from the Comanches last spring, there are several Texan Women still in captivity; should the Chickasaw who first rescued the little boy, or any other person have an opportunity to release these prisoners, they may be assured that they will be justly compensated for so doing.—

During the last session a company was raised in Shelby county taken from the Indians, by a party of Indians, suspected to be Cadoes, or Kichapoos, and it is hoped they may be rescued by some of the Chickasaw or Choctaw Indians, and returned to their friends.

I have not any information as to the present residence of this surviving friends of Thomas Pierce, should his friends wish to make application for him, I would ask the favor of you to send them down to the Texan Consul at New Orleans, who will be authorized to reimburse all expenses.

I have the honor to be with great respect
Your Obedient Servant
Anson Jones
Secty of State.

To Col. A. A. M. Upshaw
United States Agent of the Chickasaws
Fort Towson. Ark.

Department of State
Austin 15th Sept 1845.

Sir

Secy of State relative to sending a vessel to Vera Cruz with dispatches for Texan Minister &c

To Hon. Louis D. Wilcox
Secy of Navy

Sir, I am instructed by his excellency the President to say to you, that he wishes you to order one of the vessels of war immediately down to Vera Cruz for the purpose of conveying dispatches from this Department to the Texan Minister at the City of Mexico, under cover to Her Britannic Majesty's Minister Hon. Richard Pakenham Esqr, that you will direct the Commander to send the dispatches in by some safe opportunity that may present itself, and that he will then stand off and on, from the harbor for sixteen days, unless he should sooner receive communications from Mr. Treat, and to be governed by the instructions he may receive, should he not hear from Mr. Treat in that time to return and report to you.

Please furnish me with a copy of the said

1 Sept

orders, to enclose to Mr Yoakum

With great respect
Your Obdt Servt
Abner S. Lipscomb
Actg Sety State.

Department of State.
Austin 21st Sept 1840.

To
C. H. Everitt Esq Head Q. 4th Brigade
relative to the
appointment
of R. Pulsifer
Collector
Port of
Matagorda

Sir,
The President requests me to say to you that the appointment of Collector for Sabine, has been conferred on Dr. R. Pulsifer Esqr. That upon enquiry respecting the fitness and character of Mr Phelan, he was informed that his habits were such as to prevent the President from giving him an office where there is so much responsibility as that of Collector of Customs. And that he had been at a loss to whom, to give the appointment, until upon enquiring of Mr Donoghe for a suitable person, he recommended Mr Pulsifer as such

With much respect
Your Obdt Servt
Joseph Mayes
Chf Clk & Actg Secty State

Department of State
Austin Sept 22d 1840

To
Hagley & Robinson
order for
candles

Hagley & Robinson,
Gentlemen, You will please send for this Department by the first conveyance three Boxes of Sperm Candles, and your bill shall be paid on presentation
Respectfully Your Obdt Servt
Joseph Mayes
Actg Secty State.

Department of State
Austin 3d Oct 1840

To
Chief Justices
of the
Several
Counties

To the Hone
Chief Justice of the County of " "
Sir, I have this day deposited in the Post office packages containing laws of last Congress transmitted which you will please acknowledge the receipt of, and distribute to the Civil Officers of your County, taking their receipt for the same
Respectfully Your Obdt Servt
Joseph Mayes
Acting Secty State.

For the County of Bastrop 4 packages each 4 copies, Bexar 4— Colorado 5— Fayette 3.— Goliad 3— Gonzales 3— Jackson 3— Matagorda 5— Milam 3. Refugio 3— Robertson 3... San Patricio 3— Victoria 3. Travis 3—

To
C. Smithco
Jefferson Co.
relative to
the disposition
of certain
British
Negroes by
J. Taylor

Department of State
Austin 9th Oct 1840

To Hon Henry Millard
Chief Justice
Jefferson County

Sir I am instructed by the President to request you to take the deposition of Joseph Grigsby Esq. and any other person you know of, having any knowledge of the facts, relative to certain British Negroes, named Henry Smace, Samuel Redman, and William Thomas— the two first left with Mr Grigsby by John Taylor, and the latter left with him by Mr Jones, during the Spring of 1836. You will please ascertain whether said Negroes were Sold and held as Slaves? if so, whether for life or a term of years, or whether they were indented Servants? also whether said Negroes were at any time during their stay in Texas, held and considered as Slaves, either by the aforesaid John Taylor or any other person? and upon what Condition said Negroes were left by said Taylor and delivered with said Grigsby? &c&c

These interrogatories are made at the request of Mr John Taylor, who stands charged by the British Government of having contrary to the Laws of that Country brought the aforesaid Negroes, with others into Texas, and disposed of them as Slaves— You will please attend to the above as early as practicable, and forward your investigations immediately to this department, in order that it may be transmitted to London, where the Case is now pending.

Respectfully &c
Joseph Waples Act'g
Sec'y of State

Department of State
Austin 10th Oct 1840

To
C. Smithco
Liberty Co.
relative to
disposition of
Certain British
Negroes by
J. Taylor

To the Hon Geo W. Moore
Chief Justice Liberty County

Sir I am instructed by the President to request you to take the deposition of William Moore of your County, and any other person known to you having any knowledge of the facts, relative to certain British Negroes, named Henry Gunsel and Edward Whitaker, left into Mr Moore by John Taylor, during the Spring of 1836— you will please ascertain whether said Negroes were Sold and held as Slaves, if so whether for life or a term of years, or whether they were indented Servants? also whether said Negroes at any time during their stay in Texas held and considered as Slaves, either by the aforesaid John Taylor or any other person? and upon what condition said Negroes were left by said Taylor with said Moore? These interrogatories are made at the request of Mr Taylor who stands charged by the British Government of having contrary to the Laws of that Country, brought the aforesaid Negroes, with others into Texas and disposed of them as Slaves— you will please attend to the above as early as practicable, and forward your investigations immediately to this department, in order that it may be transmitted to London where the Case is now pending

Respectfully &c
Joseph Waples Act'g Sec'y Sta

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To

W. D. Lee

Chf Justice &c Ft Leavenworth

Extracts &c. &c by Genl Gaines

relative to

disposal

of

Negro Slaves

Department of State.
Austin 11th Oct 1836

Sir

During the Spring of 1836 Mr John Taylor a citizen subject of Great Britain left with the Judge William Hardin, a certain British Negro named Jack Lashley. Britch Negro, the President instructs me to request some information relative thereto from you by taking the depositions of Mrs Hardin of the widow of the late Judge Hardin, and any other person having any knowledge of the facts; whether the aforesaid Negro was held as a Slave, sold, or hired for life or a certain of years, or whether he was an indented Servant? also whether said Negro was at any time during his stay in Texas held and considered as a Slave either by the aforesaid John Taylor or any other persons? and upon what consideration said Negroe was left by said Taylor with said Hardin? These interrogatories are made at the request of Mr John Taylor who stands charged by the British Government of having contrary to the laws of that country brought the aforesaid Negro with others into Texas and disposed of them as Slaves. you will please attend to the above as early as practicable and forward your investigation to this Department in order that it may be transmitted to London, where the case is now pending

Respectfully your obt Servt
Jno. H. Hagner
Actg Secy of State

To
His Excellency
The President
of Texas
&c &c &c

Department of State
City of Austin 21st October 1836.

Sir

I have the honor to transmit such documents and portions of the correspondence of this department, as your excellency may probably wish to lay before the Honorable Congress. The first and that which perhaps may be considered of the most immediate importance, is the subject of running and marking the boundary line between this Government and that of the united States of the north. This document, marked A contains copies of the letters from George W Hughes Esqr Commissioner on the part of this Government, to the Secretary of State, with a Statement of debts incurred by the joint Commission, which have been paid by the Commissioner on the part of the United States, the Sum of which amount becomes due that Government by the Government of Texas. These letters fully explain the cause of the suspension of the operations of the Commissioners also their progress to the 32d degree of North latitude on the Sabine River and with them the necessity of an immediate action of Congress on making appropriations sufficient for the completion of that line to the River; the exact amount necessary ~~to be paid~~ for paying the debts due by the Commissioner, and for carrying on the work, this department is unable to ascertain, but would suggest the propriety of a liberal appropriation, such an one, as would without any doubt, be sufficient for, should more be appropriated than is actually necessary, the surplus would remain unexpended in the Treasury. The amount now due, including the salary of the Commissioner, Engineer Surveyor, Clerk Salaries, the Honor

a Most Catholic &c cannot be less than five thousand dollars per annum.

In document marked B will be found extracts and extracts of letters from the department to our Minister and Chargé de affaires at Washington; and document C letters and extracts from our Minister & Chargé de affaires there to the department, relating principally to Indian affairs, and claims of citizens of Texas for property taken by the Cherokee Indians. This department has much pleasure in communicating to your Excellency, the general harmony that prevails in our foreign relations. Both the Government of the United States and Texas has manifested since the last report from this department, to cause any other than a continuation of that friendship, and interest - the sentiments of Amity of that Government towards the young and unfortunate members of the national family; Since the making of the last annual Congress a Treaty of recognition, amity and Commerce has been concluded between this and the Government of the King of the French which has gone through the usual forms of ratification exchanges &c. and each Government now has a Representative in the character of Chargé de affaires near that of the other. Recent Communications from our diplomatic agents in Europe warrant flattering prospects of the national recognition of this Republic by the Government of Holland, Belgium and England of which could be expected but little doubt, and that in a very short time he will be enabled to Communicate her success to this Government.

In document D you will find a demand of the Governor of the Windward Islands for certain British negroes supposed to be detained in slavery in Texas, with Correspondence relating thereto. These documents will show the general designation given to the Commissioner of her Britannic Majesty (J Hamilton) who was charged with the object of investigating and reporting said negroes, document D Contains instructions to William H Hunt Esq. Surveyor, to survey forty Leagues of land for the establishment and endowment of two universities or Colleges, under an act of Congress for that purpose; also a circular addressed to the Chief Justice of the several Counties relative to locating and surveying three Leagues of land for the purpose of establishing primary schools. Knowing the great importance of your excellency in the very important and interesting subject of education, and it being one in which every true friend of Texas must feel deeply interested, this department has taken much pains in urging at upon the proper officers to have the object of the law complied with, and it is with deep regret I have to inform your Excellency that nothing should seemingly have yet been made. In reply to the circulars addressed to the respective Chief Justices, a number have given to this department as a reason for the delay, that they were not by the act, at sufficient, to define the metes & bounds of locating and surveying said Leagues and Districts must necessarily suggest the propriety of directing the attention of the Honorable Congress to this subject

With great respect I have the honor

Your Excellency's

most Obt Servt

Dan'l Rogers

acting Secty of State

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Estimate of the expenses of the several Departments of the Government for the year 1856

Executive	President's Salary		10,000	00	
	Private Secretary's Salary		2,000	00	
	Stationery, Office Fixtures &c		1,500	"	13,500 00
State					
	Salaries for Secretary		3,500		
	" of Chief Clerk		1,500		
	" &c " as Librarian of Books		500		
	" " Two assistant Clerks		2,000		
	" " Extra Clerk's remuneration	Estimated cost per annum	500		
	Stationery, Fuel, Lights &c &c		1,000		
	Contingencies extra printing expenses &c.		1,000		
	" Printing Laws & Congress. Primary Acts		10,000		
	" Printing Diplomatic & Consular Correspondence		10,000		
	" Foreign Agents & Missions, Secretaries of Legation Contingencies &c & Per Annum		60,000		
	" Fine Arts for Offices, repairs		30,000		93,000 00
War					
	Salary of Secretary		3,500		
	" " Chief Clerk	Per Annum	1,500		
	" " Assistant Clerks		3,000		
	Contingencies Fuel Lights Printing &c.		2,500		11,000 00
Navy					
	Salary of Secretary		3,500		
	" " Chief Clerk	Per Annum	1,500		
	" " Assistant Clerk		1,200		
	Stationery Fuel Lights &c.		1,000		
Treasury					
	Salary of Secretary		3,500		
	" " Chief Clerk		1,500		
	" " Third Auditor	Per Annum	1,200		
	" " Assistant Clerks		2,400		
	Books & Stationery		100		
	Contingent expenses		500		
	Engraving Plates and Steel Vignettes		600		
	Deficiency for fiscal year ending June 30th 1855		1775		
	Salaries & Stationery as per Abstract No 3		1653.75		
	Engraving Checks & Drafts		1955.75		
	Printing & Binding for engraving Department				
	Miscellaneous Office Contingencies				
	Printing Promissory Notes	10,000 00	4656	37	
	Per centum Allowance for engraving & Printing Notes the fiscal year ending June 30th 1855		109	31	11594 69
					116,594 69

Amount Carried forward

Appointments by Genl	Amount Brought forward			$ 41059	40
	Attorney Genl Salary		3.000		
	Contingencies Office Incidentals &c		500	3.500	00
Judiciary					
	Chief Justice Salary		5.000		
	Seven Associate Judges Salary @ 3000		21.000		
	Seven Clerks @ 1200		8.400		
	Reporter to Supreme Court		1.000	35.400	00
Marshals					
Genl	Chief Clerks Salary		1.500		
	Deputy Clerks		2.500		
	Assistant		.300		
	Stationary	Pay Funds	.100		
	Fuel		.200		
	Contingencies		.250		
	Office Incidentals		1.000	5.750	00
Treasury Dept					
	Chief Clerks	Pay Funds	1.500		
	Assistant do		1.200		
	Printing Fuel & Candles		.300		
	Incidental expenses & Office Furniture		.300	3.300	00
Collectors					
	Chief Clerk Salary		2.500		
	Stationary	Estimated Pay Funds	.600		
	Fuel		.200		
	Candles		.650		
	Contingencies		.500	4.450	00
Light House Dept					
	Chief Clerk		2.500		
	Assist do		2.200		
	Lights Fuel &c	Estimated Pay Funds	.500		
	Repairing Beacons Public Buoys &c		2.000		
	Contingencies Repairs of Office &c		.600		
	Sea Coal for Engineer Office for 1840		.450	8.250	00
Navy Dept					
	Chief Clerk		1.500		
	Assistant do		1.200		
	Books Stationary &c		.200		
	Printing		.300		
	Fuel Candles &c		.120	3.320	00
Post Master					
	Post Master Salary		2.500		
	Chief Clerk do		1.500		
	2 Assistant Clerks	Estimated Pay Funds	2.400		
	Contingent expenses Books Stationary furniture &c		.350		
	Salaries fixed on List of Stationary in New Orleans				
	for the year 1840		442	7	
	Amount Carried forward				

Departments — Amount Brot forward — $ 31,336 09

			#	ct.	#	ct.
3rd Auditor	Salary of 3rd Auditor		3.500			
	Chief Clerk	estimated as	1.500			
	assistant Clerk	Per funds	1.200			
	Contingent expenses of office		.500			
	Amount due for Stationary in New Orleans for 1826		.252	52	5.952	52
Comptroller						
	Comptroller Salary		3.000			
	Chief Clerk		1.500			
	Two assistant Clerks	Per funds	2.400			
	Contingent expenses		.200			
	Printing Blank warrants & Certificates		.100			
	Outstanding debts for 1826		.625		7.825	00
Treasurer						
	Salary of Treasurer		2.500			
	Chief Clerk		1.500			
	1 assistant Clerk	Per funds	1.200			
	Contingencies		.300			
	due for Stationary in N Orleans for 1826		.405		5.905	00
Stock Commr						
	Salary of Stock Commissioner		2.500			
	Chief Clerk	Per funds	1.500			
	Assistant do		1.200			
	Stationary including, unpaid bills of 1825 for Mar		.400			
	Printing including unpaid accts for Mar					
	printing blank Certificates advertising &c		.611		6.211	00
Comm of Revenue						
	Commissioner of Revenue Salary		2.500			
	Chief Clerk do		1.500			
	2 assistant Clerks		2.400			
	Fuel and Lights		.150			
	Contingencies		.200			
	due in New Orleans for Stationary for Mar		.303	55	7.053	55
Gen Land Office						
	Salary of Commissioner		3.000			
	" Chief Clerk		1.600			
	" 1 assistant Clerks	estimated as	1.500			
	" Translator & Clerk	Per funds	1.500			
	" Draftsman		2.000			
	" Contingencies fuel Stationary &c		.500			
	for unascertained Salaries & other claims to be presented					
	To County Surveyor " " " " "		1.500			
	For Surveying Vans Scrip		1.000			
	For Running & Connecting County Lines		.000			
	For balance due on purchase of Blank Land					
	patents in New Orleans " " " "		.400		15.500	00
	Amount Carried forward				263.554	66

(2)

Amount Brot forward $263551 46

Congress
House of Representatives

Pay of Forty Members @ 8$ per Diem each 120 days	38400	
Sergeant at arms @ 5$	600	
Door keeper	600	
Chaplain	600	
Reporter @ 8$	960	
Chief Clerk per Annum	1500	
Other Clerks each 4 @ 8$ per Diem	3540	
Printing	3000	
Contingencies	3000	52500 00

Senate

Pay of 44 Members @ 8$ per day	13600	
" of Vice President per Annum	3000	
" " Secretary of Senate	2166	
Other Clerks each (4)	3540	
Chaplain	600	
Reporter	960	
Sergeant at Arms	600	
Door Keeper	600	
Printing	2000	
Contingencies	2000	24166 00
		$345214 46

Note, I called on the Post Office Department for its estimate but have not received one

To William Lee
Acting Secty of the Treasury

Sir

In Compliance with your request I submit the foregoing estimate of the probable expenses of the departments and Bureaus of the Government for the year 1801, Collected from them and founded upon the best data that can be obtained

Respectfully
Your Obt Servant,
Jno Marshall
Acting Secty of State

To
J. H. Cruger
relative to
publishing

Department of State
Austin 21st Oct 1836

To J. H. Cruger Esqr

Sir. I am very anxious to know what progress publishing you are making in publishing the private and local acts of the last The laws Congress xxx also the Spanish translation of the laws and when the English balance of the general acts will be forarded to the Department, it is Spanish important that this department should be in possession of this knowledge in order to be enabled to report to Congress on the subject of public printing which will doubtless be called for

Respectfully
Dr Mayfield
Acting Sec of State

To
Wm Bryan
relative to
John Pierce
who was
taken prisoner
by Comanches

Department of State
Austin 21st October 1836

To William T Bryan Esqr
Texas Consul

Sir - Some time since a letter was received at this department from Col Upshaw agent, purchasing for the Chickasaw tribes of Indians at Fort Towson, informing the by order President that a Chickasaw Chief had sometime previous purchased Chickasaws from the Comanches in Texas, and taken him to that Nation a boy (a citizen of Texas) named Thomas Pierce who stated that his parents were killed at the time he was taken prisoner. Judge Lipscomb instructed by the President, requested Col Upshaw, that in case said boy was not soon called for by his relations to send him to New Orleans to your care and that you would pay the necessary expenses of getting him there and have him sent to Texas. And at the same time Mr Rowe was the Judges intention to write to you on the subject, and I am under the impression he did not do so, if not you are now authorized to receive him and have him sent to Texas, if an opportunity offers et would be better to send him via Galveston. I say, as he has relatives, a brother one Wesley* living at or near Austin, from whom I received a letter a day or two since requesting he should be sent there. By an act passed at the last session of Congress, the President is authorized to redeem any and all Texas prisoners from Indians Captivity, under which act you will be refund any expenses incurred in this case. I have the honor to be

Respectfully
Your Ob Serv't
Dr Mayfield
Acting Sec'y of State

* Wesley married a man by the name of Barnes & Rose.

To President of Texas — Report or list of appointments transmitted

List of appointments by the President, since the adjournment of the fourth annual Congress as per Register of the State Department,

Date of Appmt 1840	Names	Office appointed to
March	Branch T. Archer	Secretary of War
Sept 30th	James Simmons	Treasurer
" "	James D. Shaw	Comptroller
April 1st	James Hamilton & Albert G Dunlap	Commissioners to negotiate with France relative to a Loan
" 18	James Hamilton	Commissioner to treat with Belgium
May 1st	George W Smyth	Commissioner to run the boundary line
Sept 15	James Hamilton	Commissioner to treat with Holland
July 11	Joseph C Moreland	Notary Public Travis County
" 25	Hamet Norton	do " Matagorda County
" 29	Thomas J Gordon	" " Brazos County
March 5	Joseph W. M'Clung	" " Colorado County
" 16	James D. Johnson	" " San Augustine County
" 30	James P Cole	" " Galveston County
" "	Cornelius Lane	" " Port of Lavaca Victoria County
Sept 1st	Peter C M'Neal	" " Port of Velasco Brazoria County
" 8	Theodore Fraleau	" " Port San Luis do do
August 21	H. C Wells	Collector of Brazos La Baca
Sept 19	Joseph P Pelletier	do do Sabine
Feby 27	C. C Hudson	District Attorney 3rd Judicial District
May 13	Wm Fenner Henderson	do do 5th do do
June 1st	John R Reid	do do 1st do
July 13	H P Brewster	do do 2nd do
August 19	George W Terrell	District Judge 5th do do
March 16	C W Augustine & Resigned	Commissioner to inspect Land offices east of Brazos
April 8	John H. C Henderson	do do do west of Brazos
May 27.	Isaac Fisk	Chief Justice Bastrop County
April 1st	Wm H Neal	Chief Justice Refugio County
August 21	Leonidas Saunders	Chief Justice Montgomery County
April 17	John W Pinckney	Chief Justice Northern District Liberty Cty

The office of Chief Justice for the County of Goliad is vacant by the Resignation of J. H. Cravenchi, also that of the County of Victoria by the Resignation of David Burleson

Department of State
Austin 28th October 1840

To
His Excellency
Mirabeau B Lamar

Sir — I have the honor to transmit Your excellency a List of appointments made since the adjournment of the annual Congress, as per Register of this department — Respectfully

Your Obt Servt &c.

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To
C. Justices
&c.
relative to
List of Civil
Officers
Date of
election
Expiration
of terms of
Office &c.

Department of State
Austin October 26th 1846

To the Hon.
Chief Justice
of the County of &c

Sir, Will you please to furnish this department, as early as practicable with a List of the Civil officers of your County, all that are now acting as such, (viz) District Clerks, County Clerks, Sheriffs, Coroners, County Surveyors, Justices of the Peace &c. the date when they were elected, whether they have received their Commissions, given bonds, (such as by law are required to) the expiration of terms of their respective Terms of Office &c. It is of great importance Office &c that this department should be in possession of this knowledge as it is frequently called on to certify to the acts of such officers being legal &c. Your immediate attention is most respectfully solicited by.

Your Obedient Servant
Jno. Washington
Acting Secty of State

Note - A Copy of the above, sent to each of the Counties in this Republic

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To
Speaker
H. of R.
Officers
Vacant
Appointments
by President
&c.

Department of State
Austin 6th Nov. 1846

To the Hon. Speaker of the House of Representatives

Sir

I have the honor to inform you, that through you the Hon. House of Representatives of the Nation, the following offices which are required to be elected by joint vote of both Houses of Congress - viz:

The office of Commissioner to inspect Land Offices East of Navasota River all vacancy by the resignations of D. C. Dunckelberg, E. S. Sabin, and A. N. Magnolia

The offices for which Districts for the Counties of Colorado and Victoria vacancy by the resignations of A. M. Bennett, and Daniel Friar

The following appointments have been made during the Recess of Congress which requires the concurrence of both Houses of Congress

Edward Fitch Chief Justice Brazoria County
Benjn. Fitzgerald Chief Justice Refugio County
Thomas Alexander Chief Justice Montgomery County
Mark H. Dunlap Chief Justice Northern District of Liberty County

All of which are most respectfully submitted

Respectfully your obt. Servt
Joseph Bryan
Actg. Secretary of State

For
Sec'y of
Treasury -
relative to
Draft on Hamilton & Beasley Loan Commissioners

Department of State
Austin 18th Nov. 1840

The Secretary of the Treasury will draw a draft on Messrs Hamilton & Beasley Loan Commissioners, for one thousand three hundred and Seventy Six dollars, in favor of A. Amory Esqr. it being for his half years salary and Contingencies of the Legation at Washington.

A. Amory
Sec'y of
Legation at
Washington

To Wm Seevy
Act'g Sec'y of State.

Respectfully
Joseph Waples
C. C. & S.

To
President
of Texas
relative to
Treaty of 1831
between
Mexico & U.S.

Department of State
19th Nov. 1840

Sir

I have the honor, to present, to the consideration of your Excellency Sundry documents, Shewing that the question, how far the Treaty of 1831 between the United States, and Mexico, is mutually binding, between, the U.S. Government at Washington, and this Government remains unsettled.

The, requisite and ordinary Course, to remove the difficulties, it occurs to the undersigned, would be by a Convention between the two Governments, ratified by the President, and the Senate, but in[illegible] from the Correspondence found in my Department, Extracts from which, I have the Honor to enclose; that it has not been, heretofore Considered necessary; and as it would produce much delay, and, it would not be possible, to have a Convention, on this Subject, in time, to lay before the Senate, during the present Session, the undersigned would respectfully suggest, that it is perhaps practicable, for the Wisdom of Congress, to provide an immediate remedy; If, the Treaty referred to is not valid between the two Governments on principles of international law, no declaration, from the Department of State or from the Executive can make it so, because, it is strictly a judicial question. But is is certainly Competent for the Legislative power, by an act, to make it binding as the Law of the Land, on such terms, and under such Modifications, as may seem just and proper.

I have the Honor to be, with great respect
Your Obdient Servant
Abner S. Lipscomb
Sec of State.

To His Excellency
Mirabeau B Lamar

To
President
of Texas
relative to
dispatches
from
A. Treat

Department of State
19th Nov. 1840

Sir

I have the honor to lay before your Excellency dispatches, from our agent A Treat Esqr. at Mexico of the 29th Sept and 6th of October, It is evident from the terms of these dispatches, that Mr. A.

has brought his Mission to a close, ere this time, But it will be for the wisdom of Congress to determine, what influence, it should have on their Legislation.

I have the honor to be, with great respect, Your Excellency's most Obedient Servant.

Alcee L Sibsecomb

His Excellency
Genl M B Lamar

To
President
of Texas

Department of State Nov 21st 1840

Sir

The resolution of the House of Representatives of the 20th Inst relating to a calling on your Excellency, for a copy of all Correspondence, Secret or requisitions &c &c otherwise touching our relations with Mexico, is at hand.— I have the unfortunate honor to inform you, that in consequence of its being so very voluminous, with all the that with the addition of Three assistant Clerks over the number now Correspondence employed in the Department, it cannot be furnished in a much shorter touching our time than Two Weeks.

I have the Honor to be, Your Excellency's

relations with
Mexico

most Obedient Servant.

Alcee L Sibsecomb
Secy of State

His Excellency
M B Lamar

To
Notary Public
Galveston

Department of State
Austin 21st Novr 1840

Sir

informing them
of the Confirmation
of the appointments
by the Senate

I have the pleasure to inform you that, your appointment, as ——— for ——— was confirmed by the Senate on the 20th Inst.

Respectfully Your Obedient Servant
Jos Waples

Note.— A Copy of above sent to I. P. Cole Notary Public of Galveston, Peter McGreal, of Velasco.— Jas W. McClung of Colorado County, and Jas Norton — of Matagorda County, and to A P Brewster as Dist Attorney for 2nd Judicial Dist

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To
A M Davis
relative to the
surveying of
certain Lands

To
A. M. Davis Esqr
Chief Clerk San Augustine City.

Department of State
Austin 25th Novr 1840

Sir

I have of 14th Inst is at hand in which you express a regret "of the negligence of the board of Land Commissioners" for not having attended to the locating and surveying the three Leagues of Land, in accordance with an act of the third Congress of 26th January 1839, and that the act had expired before you came into office &c,

If you will allow me to refer you to the act aforesaid, you will perceive that the board of Land Commissioners have nothing to do with the Locating these lands; and also, that the act does not express any time when it shall expire, consequently it yet remains open, and that you can yet have the opportunity of having these lands located; the act plainly describes the manner in which this shall be done.

I would also refer you to an act of the last (4th) Congress, in relation to common schools and academies &c. for further information on this subject, (See page of Laws 146)

Respectfully, Sir,
Your Obt Servt
Jos Waples
acting Secty State.

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to
B T Archer
Relative to an appropriation for marking the Resolutions, of the present (3rd) Congress, relating to an appropriation for running the running and marking the boundary line, between this and the Government boundary lines of the United States. And in accordance with the Resolution approved 19th inst. this date, you will please furnish me with a draft, for whatever amount of par funds that are now Subject to the draft of the Secretary of War, not exceeding ten thousand dollars. I have the honor to be, with great Respect Your Obedient Servant
Texas.

Department of State
Austin Nov. 26th 1840

Sir

To
The Hon.
Branch T Archer
Secy of War

Jo Waples
Acty Secy of State

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to
I P Cooke
relatives to
certain funds

Department of State
Nov. 26th 1840

Sir

In accordance with an act of Congress approved this date, I would enquire, whether or not there any par funds, Subject to the order of the Secretary of the Navy, if so, what amount. An immediate reply is requested.

I have the honor to be,
Your Obt Servant
Joseph Waples
acty Sec. of State

To the Hon
I P Cooke
Secy of the Navy.

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to
Geo W Smyth
relative to the
appropriation
for running
boundary

Department of State
Austin City 28th Nov. 1840

Sir

I have the honor to acknowledge the receipt of yours of the 15th inst and I thank you for the Valuable information, it Contained, as to the probable, amount of Money necessary, to Complete the running relative matters the boundary line. I caused your letter to be laid

and I have the satisfaction, to say, it had the effect to procure, the appropriation of ten Thousand dollars for funds, which Congress had, previously, resolved, on allowing only five Thousand dollars.—

Your name, had been sent by His Excellency the President, to the Senate, for its approbation before, the receipt, of your letter, and I have great pleasure, in saying, that it was approved without opposition.

It is earnestly hoped, that Notwithstanding, what you have said about resigning, that you will discharge, the duties of the office of boundary Commissioner, And in that Confidence, the President, has directed, your Commission to be herewith forwarded. I am Confident from, the general expression of the wishes of the Members of Congress, that no other person, would give to the people as much satisfaction, as yourself.—

You are at, liberty to Continue, in the service the gentlemen, employed, as Engineers, and Surveyors if, Satisfied, with the manner, in which they have discharged, the duties, required of them, or you may employ others, to perform, the duty. I know from your prudence, that, you will endeavour, to have, the line Marked out, with as little expense, as is consistent, with, having, it clearly, and distinctly, made, as possible, but I am aware, that the mode of doing the work, will not be altogether, under your Control, all that you can do, will be, to endeavour, to obtain, Concurrence of the United States Commissioner, in the adoption of the most economical mode; you can urge, on the Commissioner, the fact, that our Government, is young and struggling, through, the, financial embarrassments incidental to the new Condition we have assumed, as an Independent Government, and, that, we are but, ill prepared, to, make lavish expenditures of Money, on any Object. Mr. Bee, the Secretary of the Commissioner will, hand over, to you a draft for, Six Thousand one hundred and thirty 38/100 dollars, on the Merchants Bank New Orleans, and one thousand one hundred and forty three 38/100 dollars in par money, The draft, has been endorsed by me, I leave it to your discretion, as to the best mode, of realizing, the Money on the draft, I have no doubt it will be paid on presentation Mr. Bee, is Continued, as Secretary to the Commissioner, on the part of the Government of this Republic, and will join you as soon as, he can do so—

I am, Sir with great Respect,
Your ob.t Servant
Abner S Lipscomb

To
Genl George W. Smyth Esqr
Bdy Line Commissioner.—

Department of State
Decemr 3.rd 1840

to
Hous of Repts
submitting
schedule of
public buildings

Sir

In accordance, with, the Resolution of the Honorable, the House of Representatives of the 2.nd Inst. The undersigned Secretary of State has the Honor, to submit the enclosed document Marked A. as presenting the city of a Schedule of all the public buildings known, as such, by the under signed, and were all of them erected under a Contract with E. Waller Esq.r before the removal of the Govern.t from the City of Houston

The undersigned is unable to give, any information, as to the authority by which any additional, buildings have been erected for the use of the Quarter Master, and Commissary Generals departments

Nor has he any information as to what such Buildings Cost, or out of what appropriation paid. But can only say, that they have not been paid for out of any appropriation under the Control of this Department.

The undersigned has the honor to be, with great Respect,

Your Obdt Servant

Ashur Kilbourn

Hon David S Kaufman
Speaker of the House of
Representatives

A

Memorandum of Lots on which Public Buildings have been erected.

Block	Lot	
124	1	L P Cooke's Residence
"	6	Kitchen adjoining L P Cookes residence in the rear Alley between
110	6	Occupied by Committee on finance.
"	"	Unoccupied.
98	5	Now occupied by State Department, Store Room for Laws Journals &c.
"	9	Capital
"	10	
"	11	
83	6	State Department
"	3	Judge Burnets
"	1	Navy Department
"	12	Judge Webbs. This is separated from 11-83 by a line drawn between the Executive office and Judge Webbs
55	4	Treasury Building —
43	7	Land Office
19	6	Post Master Generals
40	1	Occupied by the Commissioner of Revenue
41	9	Pay Master General & Stock Commissioner
56	10	Commissary General
84	1	1st Auditors office
"	3	War Department
"	6	Adjutant Generals office
97	1	Quarter Master General
111	3	Masons Residence
85	4	Presidents House
"	5	
"	8	
"	9	
"	10	

The within list is Correct
Treasury Department
Nov 28th 1840
Wm Selby acty Secy of Treas

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to

S.W. Kruger

Relative to the

Translation of our laws into the Castillian

Department of State

Decemr 1840

To

S.W. Kruger Esqr.

Sir— This department, has been called on by a Resolution of the House of Representatives, for a report on the subject of Translating and publishing the Laws of the Republic into the Castilian Language. I am instructed by the Hon Secretary of State, to ascertain from you how far said work has been progressed in accordance with your Contract with this Department of 18th Decemr 1839. The causes why said work has not been completed and delivered over to the Department before this time; what amount in promissory Notes you have received for the work so far as it is done, and what amount will be necessary to complete it; an immediate reply is requested

Respectfully

Your obt Servant

Joseph Naples

Asst Clk Dept State

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to

Speaker of

House Repts

Relating to

the translation

of the Laws into

the castillian

Language

Department of State

5th December 1840

Sir In accordance, with the Resolution of the Honorable, the House of Representatives of the 5th Inst. I have the honor to submit the several documents. Marked A. B. C & D. The document A, shews, the Contract of S.P. Andrews Esqr. for translating the laws into the Castilian language, and his bond for the performance of his Contract. Exhibit B, shews the Contract of S.W. Kruger Esqr. for printing, the laws, and the terms on which, the work is to be executed. Exhibit C, is a copy of letter from S.W. Kruger Esqr. Shewing the cause of the delay, in the performance of the work— I have not heard, any thing from Mr. Andrews by way of excuse for the non fulfilment of his Contract— Exhibit D. is calculated to throw some doubts on the accuracy of Mr Andrews translation, so far as he has progressed— The amount paid to Mr Andrews, will appear, by reference to Exhibit, A, and Mr Krugers letter, the probable amount that it will cost, the Government, to Complete the work, up to the acts of the last Session of Congress— The, undersigned, would respectfully suggest to the Honorable Congress whether, the benefits to be derived from Continuing to have, the laws, translated into Castilian, will justify the expenses, that will be incurred, under the present depreciated State of our Currency. Mr Kruger has been paid Ten thousand dollars in the promissory Notes of the Govmt on his Contract, being the amount appropriated by the last Congress, The appropriation, for having, the laws translated and published has been, exhausted. all the General laws, previous to the last Congress are in the hands of the translator. I have the honor to be, Sir,

Your obt Servant

Asher S Lipscomb

Secretary of State

To the Hon

David S Kaufman

Speaker of the House of

Repts Texas

To The Hon.ble
The President of the Senate

Department of State
10th Decr 1841

Sir.

President of Senate transmitting Correspondence

In accordance with a Resolution of the Hon.ble Senate, requesting me to lay before the Senate, should this the Correspondence between this Department and General James Department & Hamilton, in relation to his negociations with the Grand European Gen Hamilton's Powers; And further requesting me to suggest such views as I may relative to which think interesting to the subject, in connexion with such Negotiations Correspondence, — I have the honor to submit the enclosed being a copy of a letter from this Department to General Hamilton of the 24th February last, and an extract from a letter addressed to Mr. Hamilton of Saturday, of the 1st April, also an extract from a letter to Gen.l Hamilton of the 4th May. I believe a copy of all other Correspondence between the Department and Gen.l Hamilton has already been laid before the Senate.

Such reasons to believe that Gen.l Hamilton would have met directly to Paris on his leaving the United States, and have avoided hearing of any favorable disposition in the French Cabinet, believed to that that was the best position for commencing Negociations with other Governments, particularly Belgium and Spain. It appears however from his letter subsequently communicated to the Senate, that at the date of the instructions from him, that he had not been in Paris, and that he was of the opinion that he ought not to apply to the French Government only in the last resort. I sincerely regret that he has thought proper to pursue this course of policy, but his reasons are doubtless strong, and would be satisfactory if explained.

As a loan commissioner I had no right to expect that he would listen to any suggestions from me, because the law requires him to correspond with the Secretary of the Treasury.

Believing however as I did, that a loan could be effected by him as a negociation through the friendly influence of France, I felt it to be my duty to give the instructions I never have the honor to lay before the Senate. My despatches to Gen.l Hamilton in relation to his negociations with other powers (which have already been laid before the Senate) will show how anxious I was that those negociations should be conducted in a way the most acceptable to the King of the French, if compatible with our own dignity and self respect; the reasons given I hope will meet the approbation of the Senate, — I had additional reasons for hoping that the first application would have been made to the French Cabinet, reasons that, in my estimation would have exerted a decided influence in promoting our national prosperity, but they are such, as would not be proper to communicate unless done confidentially

I have the Honor to be, with great Respect
Your Obedient Servant
Abel P. Upshur

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to
Speaker of
House of
Representatives

Department of State
17th December 1840

Sir,

In accordance with a Resolution of the Honorable the House of Representatives of the 16th Inst. I have Relative to the honor to inform the Hon. House of Representatives, that the expiration the term of service of the Chief Justice in the Counties of of the terms of Matagorda, Shelby, and San Patricio expired on the 15th Chief Justices ult. there has no vacancy occurred since the commencement. -cation from the Department of the 9th November. —

With great respect, I have the honor to be
Your Obedient Servant
Abner S. Lipscomb
Secretary of State.

To the House
David S. Kaufman
Speaker of the H. of Reps

Department of State
18th Dec. 1840

President of the Senate
Relative to the appointment of W. P. Wyche as Chief Justice

Sir, on the 11th February 1839, William P. Wyche was appointed Chief Justice of the County of Sabine, by the President during the recess. This appointment was reported to the President at the meeting of the last Congress by this Department. Whether it was reported to Congress or not, I am not able to say, it is possible, that it may have been accidentally omitted by the private Secretary of His Excellency in copying the report from this Dept; this however can be ascertained by reference to the documents accompanying the Presidents Message to last Congress.

No action, was however taken by Congress, the office is conceived therefore to be vacant

I have the honor to be, with great respect
Your obedient Servant
Abner S. Lipscomb

To the Hon.
President Pro tem of the Senate
and Speaker of the House of Representatives,

To
Speaker of
the House of
Representatives

Department of State.
18th December 1840

Sir,

Communicating vacancies

I have the honor to report to the Honorable the House of Representatives, that the Office of Judge of the District Court, for the Fourth Judicial District has become Vacant, by the Hon. John Hemphill the office of Judge of that District, having been Elected and Commissioned Chief Justice of the Supreme Court. I have the honor further to Communicate to the Honorable House of Representatives, that the Office of Judge of the fifth Judicial District became Vacant during the recess of Congress, and that on the 12th of August last the Honorable George W. Terrell, was appointed by his Excellency the President, to fill the Vacancy. No other Vacancies have been made known, to this Department.

I have the honor to be, with great respect
Your Obedient Servant

Abner S. Lipscomb

to President of the Senate

Department Of State
2per Decemr 1840

Sir,

In accordance with the Resolution of the Hond Senate of the transmitting 18th Inst I have the honor to inform the Honorable Senate, that this Depart memorandum ment is unable to give any information relative to the Cost of the publick of Lots on which buildings in this City, or the Cost of any One of them. publick buildings Accompaning this I have the honor to transmit you a copy of a Memorandum have been recd from the Treasury Department of Lots on which public buildings have been erected, and how they where Occupied at that date, and I believe no Changes have taken place Since then.

I have the honor to be, with great Respect Your Obedient Servant

Jno Wayles
Actg Secy of State

c Sele. for Copy of Memorandum of Lots on which Public buildings have been Erected, the Page 312 vol 6 the House of Repsn tatives

To the Hond. Anson Jones
President Protem of the Senate

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to Speaker of this House of Representatives transmitting the amount paid and for printing Laws &c &c.

Department of State
22nd December 1840

Sir!

In Compliance with your request, I have the honor to inform you, that this Department has paid to S W Kruger for Kruger & Bonnell on account of printing the Laws of last Congress and out of the appropriation for that purpose, the Sum of Five thousand four hundred and Ninety five dollars (5495$). also that this Department has paid an account of printing the "Act Concerning free persons of Colour" with the proclamation relative thereto, in the Several Newspapers in the Republic; the amount of One thousand eight hundred and Eighteen dollars (1818$) out of the same appropriation besides Several other accounts for printing proclamations &c &c. I will also State that the appropriation is exhausted.

I have the honor to be, With great Respect Your Obt Servant

Jno W Kaufman
Speaker of the House of Representatives

Jno Waples
Actg Secy of State

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to Chief Justice of County of Bowie & Samar Jurisdiction thereof

Department of State
Austin 23rd December 1840

Sir,

Herewith you will receive a Commission as Chief Justice of the Bur You will proceed to Organize the County Courts and have the requisite Commissions Officers Elected, in accordance with an act of Congress of 20th December 1836 giving instructions "Organizing Inferior Courts &c" and such other acts as may have been passed rel to County Courts; giving Notice as early as practicable to this Department Such Organization and Election of officers. I have the honor to be, Your Obedient Servant.

Jno Waples
Actg Secy of State

Hon. Chief Justice, of the County of Bowie & Samar
(A copy to each)

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To
Speaker of the
House of
Representatives

Department of State
23rd December 1840

Sir, I Resolution of the Honorable House of Representatives of the 16th Inst, requiring the Secretary of State to furnish that house with Relation to a copy of such Correspondence and instruction as may have heretofore been furnished or given to the different Agents of this Government appointed with a copy to run the boundary line between this Government and the United States, of Correspondence before me. I have the honor to State to the Hon. House of Representatives, to and from that the instructions and Correspondence relating to that subject from and Commissioner to this Department are very voluminous, and to furnish a copy, the for running Department will be Compelled to employ an extra Clerk, which would boundary line be required for at least three Weeks, for that purpose, and there being no appropriation upon which to draw for the payment of such Clerk, I shall have to ask the indulgence of the House, to make an appropriation subject to the Order of this Department, to pay for the Services of said extra Clerk, and I would most respectfully suggest that a sum not less than three hundred dollars be appropriated.

I have the Honor to be, With great Respect your Obt Servant
(Joseph Waples
Actg Secy of State)

Hon.
David S Kaufman
Speaker of the House of Representatives

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to
President of
Senate & Speaker
of the House
Republic of Texas

Department of State
Austin 28th December 1840

Sir, I have the honor to inform you that the Resignation of the Hon. Jno. F. Mills, Judge of the Third Judicial District of the Republic of Texas, has just been received at this Department, giving information of resignation of J F Mills

With great Respect
Sir, I have the honor to be, Your Obedient Servant
(Joseph Waples
Actg Secy of State)

To the Hon.
Anson Jones
President Pro-tem of the Senate

The same also to the Speaker of the House of Repr

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to
Senate &
House of
Representatives

Department of State
Austin 9th January 1841

Sir,

The resignation of the Hon William S. Jones Judge of the second Judicial District of this Republic, was this informal moment received; and I hasten to report the same to the Hon. Senate & House of Representatives

With great respect I have the honor to be
Your obedient Servant
Joseph Waples
Actg Secty State

To the Hon
Anson Jones
President Pro tem of the Senate

& To the Hon
Daniel Kaufman
Speaker of the Hon Repr

to Speaker of House of Representatives
Relating to the Contract of Kruger & Bonnell for printing Laws &c &c.

Department of State
19th January 1841

Sir!

In accordance with the Resolution of the Honourable House of Representatives of the 11th Inst. requesting the Secretary of State to furnish that House with the Copy of a Contract with Messrs Kruger & Bonnell for printing the Laws and Journals of the fourth Congress, together, with a copy of their bond &c &c. ——

I have the honor herewith to transmit to that Honourable body, the Copies therein requested; the Document marked A is a copy of their proposition to Congress their Contract with the Secretary of State, and their bonds. — Exhibit B, an estimate of what it will cost to print the relief laws of the fourth Congress; I would respectfully suggest to the Honorable House of Representatives, that I do not deem it necessary to have more than five hundred Copies of these laws printed, for, in almost every instance where an act has been passed for individual relief, a copy has been furnished, to the person for whose benefit such act was passed, by this Department. — Exhibit C, is a Statement of the account of Messrs Kruger & Bonnell, for printing the general Laws of the fourth Congress shewing the ballance now due to them on said Work, accompanied by the opinion of the Atty General. — Exhibit D, is an estimate of what it will cost to print the Journals of the Senate and House of Representatives of the fourth Congress, in accordance with the Contract to print the laws & Journals of the 5th Congress. — The reason why the relief laws were not printed previous to the meeting of the present Congress, is, that the appropriation was exhausted, Consequently, the Secretary of State would have been unable to have complied on his part, with the Contract; and the printers being informed of this fact, therefore, did not progress with the work. I am informed by J. W. Kruger, that so soon as an appropriation is made, Copies of all subsidiaries now included in proposition in Houston. — I have the honor to be, with great respect your Obedient Servant. —

To the Hon.
A. S. Caufman
Speaker of the Houses of Representatives

(Signed) Joseph Waples
Acting Secretary of State

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to Senate & House of Representatives
Relative to the employing an assistant Clerk for Gen Post office Dept.

Department of State
Austin 23rd January 1841

Sirs.

As the duties pertaining to the General Post office now devolve upon the Secretary of State in accordance with an "Act abolishing certain offices therein named &c &c" I have the honor to inform the Honorable Congress that those duties are so complicated and onerous that it will be impossible for them to be correctly performed by one Chief Clerk, besides the principal duties are examining and comparing accounts, pay bills, &c &c, such as will always require the aid of a second person; Therefore, I have the Honor, as acting Secretary of State, to request the Hon! Congress to pass a Law giving to the Secretary of State authority to employ an assistant clerk for the "General Post office".

I have the Honor to be; Your Obedient Servant

Addressed to the President Pro-tem of the Senate &
Speaker of the House of Representatives

Jo! Waples
Acting Secretary of State

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to
A Wallis
Esqr
Informing him
of his
appointment
of Chief Clerk
of the
P Office Dept

Department of State
23rd January 1841.

To George W Smith Esqr.

Sir. It affords me pleasure to offer you the appointment of Chief Clerk of the Bureau attached to this Department, styled the "General Post office" and (if you accept) you will please proceed to Office Dept as early as practicable to take charge of the papers, Documents and Books belonging to the said office.

Respectfully Your Obedient Servant
Jas Wasfles
Acting Secretary of State

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to
Senate &
House of
Representatives
Informing of
the Vacancy in
the office of
Chief Justice
of Travis Cty

Department of State
Austin 25th January 1841

Sir

I have the honor to inform you of the Vacancy in the office of Chief Justice of the County of Travis, occasioned by the death of the late Honorable James W Smith Esqr.

Your Obedient Servant.
Jas Wasfles
Acting Secretary of State

To the
Hon Anson Jones
President Pro tem of the Senate
Hon David S Kaufman
Speaker of the House of Representatives

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to
President
Relative to
the authority
of the Commrs
to pay the
Salaries of
the officers
of the Commrs
sion &c

Department of State
29th January 1841

Sir.

I have the Honor to enclose the accompanying extract of a letter from Hamilton P Bee Secretary of the Commissioners to run the boundary line between this and the Government of the United States, to myself, relative to the authority of Mr Smyth to pay the Salaries of the officers of the Commission &c. Sometime in April last, about the 20th Gen Hunt, then Commissioner employed Weilber as Topographical Engineer, and Mr Gray as assistant Surveyor, subsequently, when Mr Smyth was appointed Commissioner in the place of Gen Hunt, he was authorized by this Department to employ a Surveyor in his place, he Conferred the appointment on Mr Weilber who has since performed that duty together with that of Engineer, and Mr Gray has been Continued as Assistant Surveyor, the Commission adjourned in June, these gentlemen Mr Weilber and Mr Gray were left in Charge of the instruments and property belonging to the Joint Commission. I have just been informed by Judge Lipscomb, he tells me that, Mr Bee is mistaken in saying "he positively assured him the Salaries of the officers should run on during the suspension, he says he gave as his opinion that they should, or ought to, as the prevented them engaging in any other business during such suspension

To
His Excellency
David G Burnet

Jas. Wasfles
Acting Secy of State

to
C.C Jackson
informing of
his appointment
as Consul for
the Port of
Detroit.

Republic of Texas
Department of State
Austin 29th January 1841.

Sir.

I have this day forwarded to the Texian Legation at Washington a Commission for you as Consul of this Republic for the Port of Detroit Michigan, with instructions to the Chargé d'affaires to furnish and exequatur and the necessary laws and instructions pertaining to this Consular Office.

You will please forward your bonds agreeably to the Consular instructions to this Department as early as practicable

I have the honor to be
Your Obdt Servt
Joseph Waples
acting Secty of State

To
Calvin C. Jackson
Detroit
Michigan.

(Signed)

To
Josh Brower
giving information
of his appointment
as Consul for
the Port of
New York.

Republic of Texas
Department of State
Austin 29th January 1841.

Sir,

I have the pleasure of informing you that I have this day forwarded for you, to the Texian Legation at Washington, a Commission as Consul of the Republic of Texas, for the Port of New York, which it is hoped will suit your convenience to accept.- The President instructs me to request you to Call on Augustus W. Radcliff Esqr your predecessor, and receive from him, all the books, papers, instructions, and all other material belonging to the Consular office under his charge.-

You will please forward your bonds agreeably to the Consular instructions to this Department as early as practicable.

I have the honor to be
Your Obdt Servt
Joseph Waples
acting Secty of State.

To
John A. Brower Esqr
New York.

(Signed)

Republic of Texas
Department of State
Austin 29th Jany 1841

To.
Benj Drake
giving information
of his appointment
as Consul for the
Port of

Sir.

I have this day forwarded to the Legation of Texas at Washington a Commission for you as Consul of this Republic, and instructed the Chargé d'affaires to procure an exequatur, & furnish You the necessary laws and instructions pertaining to the Consular Office, provided, you cannot obtain the set of Laws & Consular instructions furnished to R. Wallace Burnet about a year since, on whom you will please call, and request him to deliver

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You will please forward your bond agreeably to the Consular instructions, to this Department as early as practicable

I have the honor to be
Your Obdt Servt
Joseph Whipple
Acting Secretary of State.

To
Benjamin Blake Esqr (Signed)
Cincinnati
Ohio.

State of Texas
Department of State
City of Austin Sept. 2nd January 1841.

To
A.W. Radcliff
(informing him
that he has been
superseded as
consul &c.)

Sir.

I am instructed by His Excellency A. Burnett, to inform You that you have been superseded in the Office of Consul of the Republic of Texas for the Port of New York, by the appointment of John W. Brower Esqr to that Office.

You will therefore please deliver to him all the books, papers, including the instructions and all other Materials belonging to the Consular Office under your charge.

I have the honor to be
Your Obedient Servant
Joseph Whipple
Acting Secretary of State.

To
Augustus W. Radcliff Esqr (Signed)
New York.

State of Texas
Department of State
Austin Sept. 2nd January 1841.

To
F.G. Smith
(giving him
information
of his appointment
as Consul &c.)

Sir.

I have the day forwarded to the Texian Legation at Washington, Your Commission as Consul of the Republic of Texas for the Port of Philadelphia. You will please call on Cyrus Constant Esqr for such books, papers, instructions &c, as he may have in his possession belonging to the Consular Office; and Philadelphia for such other books and papers as you may require, You will call on the Legation at Washington for

You will forward your bond, agreeably to the Consular instructions to this Department as early as practicable

I have the honor to be
Your Obedient Servant
Joseph Whipple.
Acting Secretary of State.

To
Francis Gurney Smith Esqr (Signed)
Philadelphia.

To
P M. Genet
informing him
of the appointment
of Benj Drake
as Consul for
the Port of
Cincinnati

Republic of Texas
Department of State
Austin 29th January 1841.

Sir

His Excellency the President of the Republic of Texas, has appointed Benjamin Drake Esqr as Consul for the Port of Cincinnati, and directs me to request you to deliver to him the Laws and Constructions furnished you about a year since when the appointment of Consul was offered you.

I have the honor to be
Your Obedient Servant
Joseph Waples.
Acting Secretary of State.

To
N. Halstead Esqr
Cincinnati
Ohio.

(Signed)

To
Mess Patton
giving him
information of
his appointment

Republic of Texas
Department of State
Austin 29th Jany 1841

Sir,

I am this day forwarded to the Texian Legation at Washington, a Commission for you as Consul of this Republic for the Port of Bangor Maine: with instructions for the Chargé d'Affaires to furnish an exequatur and the Fees of Office. Laws and instructions pertaining to the Consular Office.

You will please forward Your bond agreeably to the Consular instructions to this Department as early as practicable

I have the honor to be
Your Obedient Servant
Joseph Waples.
Acting Secretary of State.

To
Moses Patton Esqr.
Bangor
Maine.

(Signed)

To
Jno H Moody
Relative to the fees of County offices

Department of State
Austin 18th Feby 1841

Sir,

Your note of the 9th asking the opinion of this department, as to the period the Term of office several County officers hold their respective situations. In reply to which I have to state, that the better opinion seems to be that they are to hold them the time prescribed by law, from the period of their elections. If there be any exception to this construction, it can only be in the case of elections to fill vacancies. This I believe is also the opinion of my predecessor the Hon Judge Lipscomb. Should however any absolute collision arise on this subject, its final determination must be referred to the Judiciary.

Allow me to suggest the propriety to have the bonds of the County Surveyor of Your County transmitted to this Department as it will facilitate your citizens in procuring patents to their Lands.

Very respectfully your obt servt

To John H Moody Esqr

To
S.M. Lenoir
Relative to
mistakes
occurring in
the printing
of the Laws

Department of State
Austin 25th Feby 1841

S. S. M. Kruger Esqr

Sir, In examining some of the acts published in the Telegraph of the 10th & 17th Inst I find a great want of attention, in comparing them with the copy furnished you as M. S. and will cite you as an instance to the "Act to incorporate the Harrisburg Rail Road and Trading Company" in which you will find several important errors.

I am instructed by the Hon. Secretary of State to assure you, that such inaccuracies will not be overlooked, and with such mistakes, the books (if such occur therein) will not be received at the Department. He also instructs me to advise you, to have what you have printed re-revised, and if any among it is incorrect, to have them reprinted, - for he will not receive them with such an errata as the Act of last year contained, or the act above named would seem to indicate,

I am, Respectfully
Your Obdt Servt
Joseph Waples
Chief Clerk Dept State,

To
D.G. Burnet
informing
him of the
return of
Gen Lamar
to the seat of
Govt

Department of State.
Austin 5th March 1841.

Sir.

The undersigned Secretary of State has been instructed by His Excellency Gen. Lamar to inform you of his return to the Seat of Government, from which he has lately been absent by leave of the Honorable Congress, for the purpose of obtaining medical aid, and restoration of his health; and that through the interposition of Divine Providence, his health is entirely restored, and that he is ready to enter upon the duties, and assume the functions of the office of President of the Republic.

The undersigned in taking leave of Your Excellency, as the Chief Magistrate of the Country avails himself of this occasion to acknowledge the obligations imposed upon him, by the confidence you have at all times reposed in Official and private life, in his zealous and humble efforts to advance the public weal; and at the same time bear testimony to the devotion and interest you have manifested to maintain the integrity and prosperity of our common country.

Accept Sir assurances of the esteem, and high consideration with which I have the honor to be your most respectfully
Your Obdt Servt
Ebenezr. Mayfield

To
The Honorable
David G. Burnet.
Vice President

To
Gen. S. Hamilton
Relative to
the Termination
he will be
required to
remain in
Mexico

Department of State
City of Austin
March 13th 1841.

Gen. S. Hamilton
San Luis.

Sir.

Your favor of the 23rd Ultimo addressed to Judge Burnet has been received at this Department in which you say "Should it be necessary to remain or go in Mexico I must decline the appointment, as my obligations will not allow my absence from Texas longer than December next."

The mission to Mexico will be of that character, that it is impossible to determine, what length of time your Services might be demanded; moreover it is uncertain as to the time the Minister will depart, hereby it impracticable to form a probable conjecture as to the time your residence there might be desirable. Besides it might become important to require the return of the Minister, upon a conclusion of the negotiation, in the absence of whom it would be necessary to be represented by the Secretary of Legation. It is under these circumstances that the President however much he might desire your Services, which doubtless would be the more valuable to the country from the fact of your previous residence in Mexico and general acquaintance with the Public and influential men of that Government, is unable to give you any assurance consistent with the public interest, that you could return at the time indicated in your note; or at any specified period.

With Sentiments of respect, accept Sir assurances of the high Consideration with which, I am your Obt Servt

A. J. Mayfield

P.S. The recommendation in behalf of Mr. Acklen, has rec'd the attention of the Department, and the Commission had issued accordingly

A. J. M.

To
Ch. Jackson &
relative to
Ch. offices

Department of State
Austin March 16th 1841.

Sir.

Yours of 8th Feby, with Certificate of election of County officers has been received and the Commissions accompanying them.

Among the offices mentioned in your above letter have not appeared, is that of Clerk of the County Court. The "Act organizing inferior Courts" in "Section 8" specifies the time of the first election for County clerks, and the time which they shall hold their Office, which time expired on the first Monday of Feby last, consequently all appointments to that office to fill vacancies, have since that time and expired at the same time, — and as the appointment or election of Mr Hammonds was of that kind, the office yet remains vacant, and can be filled for the next four years in the manner provided in the 4th Section of the aforesaid act.

The Bond of the County Surveyor of your County has not been received at this Department, which is the reason for his not having his commission. It is important to your Citizens that bonds should be filed here as early as practicable in order that they may obtain patents for their lands. as the Commissioner of the Gen. Land Office will not recognize the acts of any County Surveyor as legal, until they have complied with the requisitions of the Law in that respect.

Respectfully
Your Obt. Servt.
By instructions of the Secty State
Joseph Waples
Chief Clerk Dept State.

To
S. Murry Brown,
Chief Justice
Jackson County.

Department of State
Austin 2nd April 1841.

To
A Moore
Relative to the Schooner Ann Maria

Sir,

Your petition to the President asking for an adjudication relative to the Schooner Anna Maria, claimed as a legal prize, and Maria has been received at this Department.

The Hon Patrick C. Jack, has been directed to proceed to the Island, and adjudge the case in question, before leaving for his Circuit.

Should anything intervene to prevent his attention to the case, one of the other Judges will at the earliest period practicable be directed to repair to the Island for that purpose.

I am Sir, respectfully
Your Obt Servant
Jas. S. Mayfield

To
Alexander Moore, Esq.

Department of State
Austin 3rd April 1841.

To
P. C. Jack
Relative to the contest existing between Judge Shelby and Judge Johnston

Dear Sir,

The contest now existing between Judge Shelby, and Judge Johnston in the 1st Judicial District, is of that character, that the Government cannot avail itself of the Services of either, in a case of emergency now pending in the Court of admiralty, at Galveston Shelby & Johnson relative to the Schooner Anna Maria, brought in as a prize by the Texian armed Schooner San Antonio.

The President directs me to instruct you to proceed to the Island before departing to your Circuit, and adjudge the case mentioned, giving to the parties interested (all of whom are bound to be at Galveston) timely notice of the time of holding the Court.

With Sentiments of respect
Your Obt Servt
J. S. Mayfield

To the Hon
Patrick C. Jack
Judge of 6th Jud. Dist.

To
Geo W Smyth Esr
Relative to the pay of the Surveyor on the boundary line

Department of State
Austin 3rd April 1841.

Sir:- An application has been made to this Department by Mr Webber the late Surveyor on the boundary line, for money to defray his expenses, and to pay some of the debts he necessarially incurred during his prolonged stay at the Sabine, and as the Commissioner law making the appropriation, places all the money under your control, I am (for running) instructed by the President to authorize you to pay all the necessary incidental Boundary expenses of the men engaged with you, and also that you pay to Mr Gray the line. amount that Mr Webber required to pay the debts he contracted there of 138 $ (as stated in his letter to you) that he may liquidate the said debts.

It is desired by the President that you send a Statement to this Department at your earliest Convenience, of the situation of your finances, and whether you will be likely to have sufficient funds to carry the work through, and whether it will be necessary to draw the ballance of the appropriation now, for that purpose.- He is very solicitous that the work may be completed without further hindrance if possible.

You will not feel yourself authorized to pay the salaries of the officers of the Commission, any further than sufficient to meet their immediate demands, to pay their expenses home, and to furnish provender for their horses.

I have the honor to be respectfully
Your Obt. Servt.
Jas S. Mayfield
Secy of State.

To
George W Smyth Esqr
Commissioner.

To
F A Morris
Informing him of his appointment

Department of State
Austin 8th May 1841

Sir The office of attorney General of the Republic being vacant by (acting) Atty the appointment of the Hon James Webb (the late incumbent) as Minister General to Mexico, I am instructed by His Excellency the President to request and authorize you (which I hereby do) to perform the duties of that office as acting Attorney General, until a permanent appointment is made.

I have the honor to be
Very Respectfully
Your Obt. Servt
Joseph Waples
Asst Clerk Dept State.

To
F. A. Morris Esqr.

To
W K Smith
informing him that the President cannot the granted

Department of State
Austin May 27th 1841

Sir:- The petition of the citizens of Travis County, to His Excellency the President, asking him to remit the fine and sentence, adjudged by the District Court of said County, at its late session against you, has been laid before His Excellency, and he instructs me to inform you that the request cannot be granted.

Very Respectfully Your Obt Servt
Samuel A Roberts

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Department of State
City of Austin
May 31st 1841.

To
The Falconer
requesting
kind to accompany
the expedition

Sir.

By the command of the President, I am instructed to write to you to accompany the Expedition which this Government is about to despatch to Santa Fe Santa Fé. The high estimate which he places upon your scientific and literary acquirements induced him to believe that immense accessions would be made by your observations and labors to our knowledge of a Country, of which we are almost entirely ignorant; and his high appreciation of your amiable qualities and moral worth makes him desirous that you should enjoy the satisfaction of giving it to the World.

Should this invitation be accepted, the Government will provide transportation for whatever you may think necessary for your journey, and will furnish you with such Subsistance as is provided for the expedition. It will also place at your disposal such scientific instruments as you may designate.

Permit me Sir to add to the above invitation of the President, the expression of the hope on my part, that it may not be declined

I am Sir, with high regard
Your Obt Servant
Sam'l A Roberts
acting Secretary of State

Thomas Falconer Esqr

Department of State
City of Austin 31st May 1841

To
E.W. Moore
requesting him

Sir,

Mr Ransom, who is the bearer of this has been to forward with dispatch express to Galveston for the purpose of obtaining certain instrumentsinstruments for-ments which are to be used on the expedition to Santa Fé, and a list of the which you will find particularly mentioned in the requisitions Santa Fe which he will present. The requisition you will perceive, is expedition practicable for all, but as it will probably be difficult, if not impossible to send some of them without any hope of getting them here without material injury, you will be authorized to exercise your discretion as to a few, taking the enclosed memorandum as your guide. Those marked * are absolutely necessary, and must be sent; the others are very much needed and would frequently be of great service, so that you will not permit slight obstacles to prevent their being sent; I hope you will attend personnally to putting up the instruments, as I much doubt if any one else, will understand it as well. The expedition it is believed will set out by the 10th June at [redacted], so that no time is to be lost. Thomas Falconer Esqr will accompany it, as historiographer, and it is for him the [redacted]ments and books are needed.

I have the honor to be
Your obdt Servt
Sam'l A. Roberts
acting Secty State

E. W. Moore Esqr
Comd Texian Navy
Galveston

Memorandum of instruments referred to in foregoing letter.

* 1 Sextant — * 1 Artificial Horizon — 1 Azimuth Compass —
1 Chronometer, — 1 Barometer, — * The Nautical almanac for 1841
* Sims on Marine Instruments, * Belchers on marine Surveying
* Work containing Table of Logarithms &c &c a work on Navigation containing them. —

To
J B Ransom Esq.

requesting him to call

Department of State
Austin May 31st 1841

Sir

You will receive a Communication directed to Com E W Moore, requiring of him to send by you, for the use of the Santa Fe expedition, Certain instruments and books particularly described in the requisition

for certain instruments

The greatest Care will be necessary in the transportation of the instruments, to prevent injury to them. — You therefore superintend the packing of them in person, and if possible, obtain the assistance of Com. of the Santa Fe Moore — a discretion is allowed Com Moore whether to send the expedition instruments or not — but they are both so very much needed, that if possible you will bring them.

You are expected to execute this Commission with the utmost despatch, and to return to this place by the night of the 10th of June

I am Sir, very Respectfully

Your Obt Servt

J B Ransom Esqr

Sam l A Roberts
Actg Secy of State

To
I G Chalmers

requesting him to issue Draft in favor of Ashbel Smith

Department of State
May 28th 1841

Sir

You will please issue a draft on Messrs Hamilton and Burnley Commissioners (at Sight) in favor of Ashbel Smith Esqr for the Sum of One thousand dollars, it being for his half Years Salary as Secretary of Legation to the U. States from 18th June to 18th December next, also, a draft in favor of the Same for four Hundred dollars for the contingent expenses of the Texian Legation at Washington for the Year 1841

Respectfully Your Obdt Servt
Sam l A Roberts
Actg Sec of State

Hon John G Chalmers
Secretary of the Treasury

Relative to the Commissioning of County officers

Department of State
May 31st 1841.

To
I D Moody Esq.

Sir.

We were called at the Department to day with your Memorandum enquiring whether commissions had been issued for the District and County Clerks of Victoria County in January 1838.

I can answer the enquiries by saying it has not been the custom at any time of keeping a copy of Commissions

record; and previous to December 1838 no register of the dates of Commissions were kept:- But I find in the register of Civil Officers in this Department the names of John M. Crabb District Clerk and Dan'l A. Mordy County Clerk of Victoria County, without date of Election or Commission - and whether they were Commissioned or not, (or at what date if they were) I have no means of knowing. We have on record the returns of Mr. Hays the then Chief Justice of Victoria County dated 14th of January 1838, giving the names of the above as having been duly elected to said Offices, and it is presumable that Commissions were forwarded in accordance with said returns

Respectfully, Your Obdt. Servant
Joseph Waples
Chf Clerk Dept State-

Dr. D. A. Mordy Esqr
Victoria

{ "or Letter of "Resident" of this date to Citizens of Santa Fé" see page 236 }

Department of State
Austin June 5th 1841.

To
Chf Justice
Navasota Co

Sir-

Relative to Your Letter without date has been received at this Department giving the information that certain persons therein named the elections had been Elected to fill the different Offices in Your County of certain established by the Constitution and the Law; and for the different County offices Officers you requesth this Department to make out Commissions.

The Law regulating elections requires that the Chief Justices should give to the person or persons having the greatest number of Voted a certificate thereof, upon which certificate and upon which only is the Secretary of State authorized to make out a Commission.

I can find no certificate at all in your Letter, which is informal in other particulars, and feel constrained therefore to decline giving the commissions until the Certificate is made out in conformity with the Law.- Should you be at a loss for a form, you may adopt the following.

"Republic of Texas
Navisoto County

I _____ Chief Justice of the County aforesaid, do hereby certify that at an Election held in Conformity with the Law on the ___ day of _____ 184-- in Said County _____ ___ received the greatest number of Votes for the Office of ____. ___ whereupon I declare him duly elected and have given him this Certificate thereof...

_____
Chief Justice of
_____ County"

It seems from the Law that a Certificate should be given to each one elected, but as this has not been required heretofore by this Department, it will not now be insisted on.

We forward you per last mail a few copies of the Laws, not the number you required, for the reason of a deficiency of the first volume

Gideon Walker Esqr
Chf Justice
Navisoto County

Respectfully- Your obdt Servant
Saml A. Roberts
Actg Secy of State

To
G. W. Kendall
Inviting him
to join the
expedition
to Santa Fe.

Department of State
Austin June 14th 1841.

Sir

The President, hearing that you were on a visit to our Country with a view to accompany the expedition which the Government is fitting out for Santa Fe - has instructed me to invite you to join it as a guest of the Government.

Instructions could be given to the Commissaries to furnish you with the necessary transportation Subsistence and such other facilities as may be necessary to render your journey a pleasant and useful one.

It affords me much pleasure Sir, to be the channel through which the invitation of the President is conveyed - Hoping that the scientific & literary contributions you will be enabled to make to our small stock of knowledge as regards the tract of Country over which you will pass will amply repay you for the dangers & fatigues of the journey.

I have the honor to subscribe
myself very respectfully your obt Servt
Saml A Roberts
Act Sec of State

To
Geo. W. Kendall. Esq.

Department of State
Austin 18th 1841

To
Chf Justice
Gonzales Cty
Relative to
furnishing
laws to Cty

Sir -

French Smith Esq. One of the Justices of the Peace in your County has applied to this Department for the laws of this Republic, stating that he has never received any except the laws of 1839. either from his predecessor or from the Chief Justice. — as soon after the close of each Session, as they are printed, the laws are regularly forwarded to the Chief Justices of each County, allowing one for each Civil Officer —. The laws of the last Session were forwarded to you — will you be pleased to inform this Department whether they ever reached you, and if you can ascertain the fact, state also what have been received and distributed by your predecessor — Hereafter, if it has not been done heretofore, you will take a receipt to be kept on file in your Office, from every officer to whom the laws are distributed, and required them, at the expiration of their term of Office to return them to you, and you will reissue them to the Successor, taking receipts as above.

I have the honor to be,
Your Obt Servant
Saml A. Roberts
Act'g Secretary of State

To
E. N. Pettinger Esq.
Chief Justice
Gonzales County

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To
J.J. Black Esq.

Department of State
City of Washington 30th June 1841

Relative to surveys made by Commissioner of the General Land Office

Information was this morning received at this Department from the Commissioner of the General Land Office, that a part of the Survey of the University Lands made by William Hunt Surveyor, in compliance with instructions conflicting from this Department of 26th July 1839. 3rd August 1839. and 19th August 1840, covers surveys previously made for individuals, in consequence of which they will have to be removed.

You will therefore be authorized to remove all surveys made upon lands previously taken up, and to locate them upon lands not hitherto surveyed or appropriated to any other purpose. In performance of this duty you will take for your general instructions those already given by this Department to your predecessor Mr Hunt of the dates above mentioned, copies of which are herewith forwarded to you.

It is understood by this Department that you were the partner of Mr Hunt in making the surveys above referred to, and as he has received full compensation for them it is expected that the corrections which you are authorized to make, will be at your own charge.

I have the honor to be
Your Obt Servt
James A Pearce
Acting Secy of State.

(To J.J. Black
Surveyor &c.)

To
Saml M. Parry Esqr

Department of State
Washington 30th June 1841.

Relative to the appointment of Commissioner to locate the County Seat, &c.

Yours of 29th May to his Excellency the President was handed by him to the Department of this Department to reply to, and which I am instructed by the Acting Secy of Commissioner of State to do.

As regards the appointment of a commissioner to locate a county seat, the law to organize a part of Harrison County for Judicial and other purposes, in the 5th Section clearly points out how all vacancies in the Board shall be filled, and that the President has nothing to do with the appointment:

On the 11th of May Wilson Samuel McHenry Esqr was commissioned Chief Justice of Harrison County, and the same date the several civil officers of the County were commissioned and forwarded to Mr McHenry by mail, which I hope has arrived ere this

Respectfully Your Obt. Servt
Joseph Nesbet
(Chief Clk Post Master)

(Saml M. Parry Esqr.)

To
A B Shelby Esq.
granting leave of absence

Department of State
Austin June 30th 1841.

Sir

In answer to your application of the 29th Inst for leave of absence, I am directed by this President to state to you, that your request is granted, and that you have his permission to leave the Republic for the term of two months as you desire; but I am further instructed to say that this leave of absence is not to be construed into any expression of opinion on the part of the Executive as to whether you or Thomas Johnson is the constitutional Judge of the first Judicial District.— The President is informed that the right to that office is contested by that gentleman and yourself, and that the question is now pending before the proper tribunals of the country. Should it be determined that you are the rightful and legal judge of that District, then this letter will be your authority for leaving the Country for the time above specified.— If it be decided that Mr Johnson is the lawful Judge, then of course no such permission as this is necessary.

I have the honor to be
Respectfully Your Obt Servant
Sam C A Peters
Acting Secy of State.

To Jno A B Shelby Esq.

To
Chf Justice
Jasper Cty

Department of State
Austin June 30th 1841.

Sir

Relative to Surveying & Land

In reply to yours of the 3rd Inst I am instructed by the Secretary of State to say that this Department has no control whatever over the lands donated by Congress for the purpose of establishing a System of education, nor can it take the responsibility of instructing you to pay for locating and surveying out of these lands. The various laws making the grants must be your only guide in the case, and Congress alone can give you the authority asked.

Very Respectfully
Your Obt Servt
Joseph Waples
Chf Clk Dept State.

To
Jno M B Lewis Esqr.
Chf Justice Jasper County

To
Chf Justice
Panola Cty

Relative to Election Returns

Department of State
Austin July 5th 1841.

Sir

Yours of 2nd Ult asking permission to advise this Department of the names of persons elected to the offices in Panola County, has been received, I am instructed by the Hon Acting Secretary of State, to say to you, that the law regulating election requires that the Chief Justice should give to the person elected a certificate thereupon upon which certificate and that only is the Secretary of State authorized to make out a Commission.

In your letter you do not certify that the persons therein named have been duly elected according to law, neither do you give the date on which the election was held. Consequently the Department would be at a loss to know how to fill up the Commissions, as well as to make a register of the time these officers terms Commenced. You will also state the Number of the Militia beat to which the several justices of the Peace belong, that have elected in your County.— also forward at your earliest convenience a

of County Surveyor and Clerk of Dist-Court to the Department. The Commission for County Surveyor cannot be sent him until the bond is received.

You may adopt the following form of certificate of elections.

Republic of Texas
County of Panola } I Chief Justice of said County do hereby Certify, that at an election held in Conformity with the laws on the ___ day of ___ A.D. 18[illegible] in said County ___ ___ Clerk of Dist Court ___ ___ Clerk County Court &c &c was duly that ___ was elected Justice of the Peace for Beat No ___ &c.

* or private Seal, if you have no seal of office } Given under my hand and Seal of office at the Town of ___ this ___ day of A D 18[illegible].

As soon as we receive the returns as above required the Commissions shall be forwarded you without delay. We will forward you per the next mail a few Copies of the laws. We are unable to furnish each officer with a Copy in Consequence of the scarcity of the first Volume, we send you five full sets.

Respectfully
Your Obt Servt
Joseph Waples
Chf Clk Dept-State

To
William Elliot Esqr
Chf Justice
Panola County.

Department of State
August 3rd 1841

Sir: Yours of the 25th June last, purporting to be returns of the elections of County Officers of the County of Spring Creek, has been received at this Department, and I am instructed by the Secy of State to say that the returns are made so informal that Commissions cannot be issued thereupon, "according to Law" In the first place you do not Certify that the persons therein named have been duly elected, nor do you give the date on which the election was held, nor the number of the beats for which the several justices of the peace were elected and to which they belong. It is also important that the Department be furnished with a certificate of the election of Clerks of the County and District Court, and of the Coroner and County Surveyor, all of which you have not given in your letter. Immediately on the receipt of this information the Commissions will be issued and forwarded to you. Herewith send you a form by which you may make out the Certificate required &c.

It is important as a future reference to our records that the form be observed in making returns to this Department. We send you by this mail four Sets of the laws of Texas, We cannot furnish each officer with a copy in Consequence of the scarcity of some of the Volumes you will have to distribute them to the best advantage you can.

James Cooper Esqr
Chf Justice &c.

Very Respectfully Your Obt Servt
Joseph Waples
Act Clk Dept-State

Department of State
Austin 4th August 1841

Wm H Ewing Esqr

Sir: Herewith is a commission for you as Chief Justice of Washington County dated 21st July, the date that Judge Soler left the office according to his letter of resignation.

The absence of the President has been the cause of your commission not having been sent you at an earlier date. One was forwarded to him at Galveston for his signature immediately on the receipt of Judge Soles resignation, but did not reach him, which will account for the delay. Judge Soler will deliver the laws and such other archives of his office to you on the receipt of this

Respectfully Your Obt. Servt
Joseph H. Waples
Chief Clk Dept. State.

Department of State
Austin 11th August 1841

J W. Unger Esqr.

Sir. — Some time since we received at the Department a receipt from you to Col J. S Mayfield for the sum of six thousand dollars in the 8 per cent Bonds, to be accounted for on a final Settlement for public printing. — I am instructed by the Acting Secy of State, to request you to forward by the first mail, your accounts for printing the laws of the fifth Congress, making a statement of the amount received for said work, and the rates at which you received the Bonds.

I wrote you above a month ago to send to the Department the M. S. Copy of the journals of the Senate, that we might examine the printed Copy by it. — for by Comparing it with the Original journal, we find it so incorrectly printed, or to differ so greatly from it, that the books have not been, nor can they be received. and Consequently the Department will not pay for the work. — I again renew the request that you send the Copy by the next mail. — I also, some time since requested you to send us the Copy of the relief laws of the fourth Congress, with which you were furnished during the Spring of 1840. will you please attend to having them forwarded immediately

Mr Wing has called on the Department for an advance on account of printing the journals of the House of Representatives, which the acting Secy of State has declined making, until he ascertains from the account for printing Hands. which cannot be done until he hear from you, and get your Statement; and the M. S. before spoken of

Very Respectfully
Your Obt. Servt
Joseph Waples
Chf Clk Dept. State

Department of State
Austin 23rd August 1841.

Wm. F. Gazick.

Sir: Your letter of the 12th inst upon the subject of an alledged claim of the Messrs F. D. Sigaudi & Co of London, against this Government for "Spoliations Committed on property belonging to British Subjects by the Texan Vessels of war, called the Brutus and Invincible" has been received.

In the Communications which passed between the accredited agent of this Government and Lord Palmerston on this subject, and to which allusion is made in your letter, it was distinctly stated by the Texan agent, that whenever sufficient proof was furnished to this Government of the justice of the claim of Messrs Sigaudi, and the exact amount due them (if any) the demand would be liquidated with as little delay as possible. I am now instructed by the President to repeat to you the same assurances. You inform me that you have in your possession the proof upon which the claimants rely to substantiate their demand, but that you are also fully authorized by said claimants to make the settlement for them, is not stated. If you are, and will exhibit your authority to this Government, steps will be immediately taken to investigate the matter, and if any thing is found to be due to the Messrs Sigaudi & Co, Congress, which will Convene in November, will doubtless make the necessary appropriations.

Your suggestion that a Commissioner should be appointed to sit at Houston or Galveston, to conduct the investigation, cannot be adopted for many reasons the demand must be made at the Seat of Government.

I have the honor to be.

Your Obt Servt.

Saml A Roberts

Acting Secy of State.

Department of State
Austin August 23d 1841

Sir.

The President has been pleased to appoint you Consul of this Republic for the Port of Norfolk Virginia. Herewith you will receive your Commission which you will immediately forward to the representative of this Government at Washington, who will obtain for you, the Exequatur of the President of the United States, upon the receipt of which you will enter upon the discharge of the duties of your office. A printed pamphlet, is also sent to your address, containing the rules and regulations, (to be strictly observed) which have been adopted by the Government for the instructions of its Consuls.

I have the honor to be

Your Obt Servt.

Saml P Taylor Esqr.

Saml A Roberts

Acting Secy of State.

This letter from the President to the Citizens of Monticello should have been recorded on page 249

Executive Department,
Austin City, June 5th 1841.

To the Inhabitants of Santa Fé, and the other portions of New Mexico, to the East of the Rio Grande:

Fellow Citizens,—

Very early after assuming the duties of his official Station, the present Executive felt it to be his obligation to assert the jurisdiction of the Government over the unsubdued portion of the Republic; and to admit its remotest citizens to an equal participation of the blessings which have been acquired by our late glorious Revolution, and made secure by a wise and liberal Constitution. But various circumstances having conspired to delay the execution of his purpose until the present auspicious period, he now calls the attention of the people of Santa Fé to the deep interest which they have in the proposed policy, with an earnest hope that it will not only meet their most cordial approbation, but that it will, when successfully carried out, be attended with all the beneficial consequences which we so fondly anticipate and desire.

In accordance with this policy, and from a sincere wish to promote your welfare, the President addressed you a letter dated the 11th April 1840,* on which you were invited to a more intimate union, and a political cooperation with the people of this section of the Republic, giving you at the same time every assurance that all the rights and protection guaranteed by our free institutions should be extended to you as fully as to any other of our fellow citizens. Your attention is again respectfully invited to the subject matter of that letter, (a copy of which is hereto annexed,) and, after a due consideration of the proposition which it contains, if you should deem it to be your interest, as we think you will, to accede to the views of the Government, you may rest assured that all the pledges which it makes will be most faithfully fulfilled.

Knowing that you have been long subjected to like injuries with those which compelled us to take up arms against the authorities of Mexico, we do not doubt but that you duly appreciate the spirit that animated our patriots, and sympathized with them in the progress of our struggle, in which you were not able to participate as you probably desired to do - in consequence of your remote and isolated situation. That struggle was brief, bloody and decisive; and terminated in the total discomfiture and expulsion of our foe, and in the establishment of a free, happy, and independent Republic, extending from the Sabine to the Rio del Norte, and from the Gulf to the Pacific; embracing within its limits a vast and varied Country, unrivalled in beauty, salubrity, and fertility; and capable of sustaining a population as dense, prosperous and powerful as any people on earth. The boundaries which were thus marked by the sword, and which have been confirmed to us by the recognition of the most enlightened and influential nations, it is the resolve of this Government, at all hazards to maintain. The Country has been won by our valor and is consecrated to civil and religious liberty; and in no portion of it, must the enemy who provoked our resentment, and received our chastisement, be permitted to continue its authority or perpetuate its domination. Knowing such to be the feelings of our people, it is due to candor to apprise you of the fact; and to let you know that the position which you now occupy towards the Government is temporary only, and will have to give way to an enlarged and liberal policy. — Although residing within our limits, you are at present paying tribute to our enemies,

* See the letter referred to, on page 173.

ignorance to them; and receiving laws from their hands — a state of things entirely inconsistable with our right of sovereignty, and which certainly cannot be permitted of long continuance. We do not use this language in any spirit of unkindness to you; and although it is plain and unequivocal, it proceeds from no design or desire on our part to extend the jurisdiction of our Government over the Country you occupy, nor of opposition to your wishes. Our purpose is simply to place before you the rights which we claim, and to admonish you of the change in your condition, which the force of circumstances will inevitably bring about at no distant period, either with or without your consent; for no one can be blind to the truth, who reflects a moment on the subject, that constituting, as you do, a portion of the civilized population of this Republic, you cannot, upon any principles of justice, or considerations of policy, be allowed to exist as a separate and independent people, but must be finally compelled to unite with us under the same constitution and laws, and share our destiny as an undivided nation. That which you will have to do alternately we invite you to do now, — not from any desire to promote our own interest at the sacrifice of yours, but for the exalted purpose of diffusing the blessings of our institutions, and of giving to all who reside within our territory the freedom we enjoy. — Actuated by this Spirit of philanthropy alone, we now throw wide the doors of the Temple which we have erected to liberty, and ask you to enter as members of the same family.

And do you enquire "what are the advantages to be gained by the change we propose"? Our answer is "you will find them in the Constitution we present you". "The distance which separates us, and other causes have prevented your acquiring an accurate knowledge of the character of our institutions, and the entire protection which our laws afford to all the just rights of the Citizen; but on a careful perusal of the documents which we herewith send you, you will find that our views are as liberal as our principles are just, and that our Bill of Rights embraces a wide field of liberty, upon which the oppressed of all nations can meet in peace and harmony. Perhaps no Government on earth combines freedom and security in a more eminent degree than that which we have established. It circumscribes the liberty of none; but leaves every individual to pursue happiness in his own way, with no other restrictions on his conduct than such as are essential to the maintenance of justice and the preservation of the public morals. The only abridgements which our liberty knowes is the restraints thrown upon vice, — restraints which give no inconvenience to a virtuous Community, and are worn as garlands rather than as fetters. By a reference to our constitution, you will find that all power resides in, and emanates from, the people; that they have reserved to themselves the right of peaceably assembling in any numbers for the purpose of discussing the affairs of the nation; that they are unrestricted in the liberty of speaking, writing and publishing their opinions on all subjects, and can make such alterations for the improvement of their Government, as experience and progress of knowledge may suggest. Equal privileges are guaranteed to every individual, none can claim exclusive immunities; and the same protection is offered to all. No one can be punished except by the verdict of his fellow Citizens; nor can any one be taxed for the support of the ecclesiastical establishments. The people are left free to worship God according to the dictates of their consciences; — and the Government itself, being

nothing more than the executor of their will, it can impose no exactions with their consent, or inflict any wrongs upon them which they cannot readily rede

Such, fellow citizens, are some of the prominent features of a Government which we offer to your acceptance in a spirit of kindness; and while we would earnestly persuade you to make a fair and just comparison of the advantages it offers, with those you now enjoy under the Mexican authorities, we disclaim any disposition to dictate to you in the choice which you shall make between them, or to influence your understanding by any other means than by argument and reason. Knowing that men of correct principles and enlightened minds can acknowledge no force but the force of truth, we address you, not in the voice of our artillery, but in the language of affection; and would be glad to make it apparent to your minds, that the course which we advise you to pursue, although attended with mutual benefits, is designed for your good, and cannot fail to conduct you to an individual and a national happiness which you never have enjoyed, and can never hope to do, so long as you continue your connection with a power which cherishes no respect for your rights, and holds no interest in common with you. And surely when freedom and despotism are fairly laid before a brave and andintelligent people, they cannot long hesitate which to choose; and thus we apprehend is your present situation. You are called upon, fellow citizens, to make your election between two Governments, the very antithesis of each other; the one being based on the affections of the people, and administered with a single eye to their good; while the other, as you know from experience, is founded in corruption, sustained by fraud and force, and is wielded for the cupidity of those in authority without the slightest reference whatever to the interests of the Governed. Which of the two will you select? Will you shelter yourselves under the broad banner of the Single Star, which sheds lustre wherever it floats, and leads the brave to victory and glory; or will you prefer still to cling to the unsightly cactus which gives you no sustenance, but thorns as you embrace it. If you choose the latter, then is your deplorable condition too justly represented in your national emblem; for what can we esteem you but the unfortunate reptile that writhes in the beak of your voracious bird.

We cannot believe that you will be influenced in your deliberations by any lingering attachment to the Mexican authorities. What claim can the Government of Mexico possibly have upon your affections? She has certainly never thought to elicit your confidence and gratitude by fostering your interests, protecting your persons, or opening to you any of the sources of useful knowledge; but on the contrary has she not despoiled you of your property, exposed you unarmed to the savages, stripped you of almost every vestige of civil and political liberty, shut you out from the career of honorable ambition, and erected every possible impediment to your advancement in character, intelligence and power? Indeed it seems to have been her particular policy to distroy your manly energies as degrade you in your own estimation; to keep you blind, that you might not affect your rights, and weak that you might not resist your will and to allow you only latitude enough to accumulate wealth by industry, that she might wrest it from you to gratify her insatiable capacity. Such has been, and is still, her ca

such it ever will be so long as you give your allegiance to her, or permit her to exercise any dominion over you. She has weighed like an incubus upon your faculties; and your brightest hopes and most blessing prospects have all perished beneath her baleful influence as the Spring flowers wither in the shadow of Upas. You never have received, and need not expect from her, any of the tenderness of maternal regard, for she is an unnatural parent. A monstrous mother - who turns with a ferocious appetite to prey on her own offspring! She is even more cruel than the blood sucking vampire! For it is said of that Animal, that it fans its victims with its wings, while it drains its arteries; but the Government of Mexico, still more obdurate, offers no soothings to her prey, but seems as much delighted with the torture she inflicts as the blood she drinks. Has she not made you the Slaves of her Slaves? And are you not now the tributary vassals of the Voracious plunderers, whom she has ordained to rule over you; governed by Laws which you have no voice in enacting; and impoverished by the most unrighteous exactions, extorted for the aggrandizement of those who give you no thanks for the bounty, and feel no commiseration for your sufferings? And now, fellow citizens, I would ask you - is it possible that a virtuous and chivalrous people can receive these indignities and outrages, and feel no resentment? Have the citizens of Santa Fé been so bowed down and dispirited by their long continued and accumulated wrongs, that they have lost all sense of Shame, and deem it their duty to repay oppression and insult, with fealty and affection? We cannot think it; we will not believe it - for it is not the nature of man to be enamored of degradation, and Spaniel like, to lick the foot that spurns him!

In this matter, fellow citizens, we sincerely hope that you will take no counsel of your fears. When tyranny lords it over the land, and the liberties of the people are trampled in the dust, it is no time to shrink from danger, or to think of consequences. It becomes the duty of every individual to draw his sword and vindicate his rights, or give his life to vengeance. And if you, fellow citizens, have any desire to break the manacles that despotism has rivitted upon you; and unite with us in the enjoyment of that freedom which our valor has established, you too may have to draw the sword as we have done, and trust the issue to the God of Justice. We are ready to mingle with you in the contest; and make the destiny a common one. And if it be the will of Him who decides the fate of nations that we should seal our devotion to the cause of liberty with the blood of martyrdom - then be it so - we are prepared for the sacrifice; for it is better to die like heroes, than to live like Slaves. But we will never go down in darkness. Each faithful sabre, glowing with the wrath, and brightening with the fame of its wearer, will throw upon the pathway to death a gleam of its burning fires and lightenings. And who would not rather march to the grave by the light of his sword, than sigh out a degraded existence in the darkness of Slavery? The recreant minion of power may wear his master's collar, as a lady does her lover's wreath of roses; and he may chant his charms and dance delighted to the music that they make; but the free born patriot, who is conscious of the nobility of his nature, will never acknowledge any master but God, and will wear no bonds but death.

After all, however, it is due to you, to ourselves, and to the sacred cause in which we are engaged to state unreservedly, that the prosperity of the step which we advise you to take must depend entirely upon the moral condition of your population, and the degree of patriotic sentiment which prevails among you; and of this you must be yourselves the judges. If with one accord, you all detest oppression above every earthly blame, and unanimously regard liberty as the most precious gift which heaven has bestowed on man; and feel that you are capable of drawing a parallel measure against the things you hate and for the things you love, then we can have no possible misgiving as to the morality of the course we recommend, or any distrust of the beneficial consequences that will flow from it. But, on the other hand, if it should turn out in opposition to the high confidence which we have in your firmness and patriotism, that you are an effeminate people who would rather surrender a right than encounter the danger of defending it; or that you have indeed worn the chains of tyranny so long, that the flesh and the heart have become callous, and can no longer festir with the iron and shame of slavery, then do we feel constrained to say, that you are not only unworthy of the blessings of liberty, but that you are incapable of either achieving or enjoying them; and that the union to which you are invited could be neither profitable to you nor to us; for it would be an union of uncongenial elements, like the knitting of the living to the dead.

And the latter is not our appreciation of your character. The estimate in which you are held by this Government, may be known by the overtures she makes you. And surely you can desire no higher testimony of our entire confidence in your valor and your virtue, than the fact that we are wishing to share our fortunes with you. We have been told by those who have long resided among you, that you are a brave, an industrious, and an honest people - simple in your manners, generous in temper, and inflexible in your principles; and it is precisely on this opinion of your worth, that we predecate our friendship for you, and are ready to receive you in a Common Government - a proposition which we could certainly never think of making to a people whose integrity and chivalry we had any reason to suspect. And here we will take the liberty of remarking, in vindication of our own national character, that the North Americans are not now, and never have been, strongly prejudiced and antipathized against the Mexican people. Their recent and most righteous resentments have been directed exclusively against the perfidious Power that has misguided that nation; and have never extended to the Citizens themselves. In proof of this we could summon abundant testimony, if time would permit, in the history of the past and the present. That the Mexicans have found a friend in the American people at a time when they needed friends, will be seen in the spirit stirring times of the Mexican Revolution, when five hundred of that gallant race, slew five thousand of the foe - and that we, who are a portion of the same people, have not subsequently been animated by any improper suspicions towards them, is strongly confirmed by the kind spirit of benevolence and humanity which has prevailed in our late revolutionary struggle, under the

cations to vindictive retaliation. The battles at La Bahia, and those of the Solado, the Alsaro and Medina, will stand as enduring monuments, not only of the valor of the American people, but of their devotion to Mexican liberty; while the magnanimous forbearance of our heroes and patriots at San Jacinto, when contrasted with the cold blooded butcheries of the Alamo and Goliad, will live in the ever abiding memory of man, as long as a vestige of virtue remains to appreciate exalted conduct. And now in the full recollection of the ingratitude of Mexico for the assistance afforded her in 1812 and 1813; and of the atrocities committed by her armies in the campaign of 1836, why do we not devastate the Mexican coast from Matamoras to Campeachy; and send our destroying forces to sweep like a desolating whirlwind over the valley of the Rio Grande? We have a navy that can lay in ruins every city on the Gulf; and we have stout hearts and sharp swords that could make a war upon our western boundary, which would make the border river roll like a flood of fire. And why do we not these things? Simply because we have no disposition to despoil the property or shed the blood of an unoffending people, quietly engaged in the peaceful pursuits of private life; for it is not against them we war, but against the unhallowed dynasty that rules the nation with a rod of iron, and wars alike over the liberties of man and laws of God.

Behold that dynasty, even now, trampling on every principle of freedom, humanity and justice — destroying all homogeneity and order — dethroning the supremacy of the laws — gathering taxes by the sword — filling the nation with robbers, and giving to the injured (Opposed) no redress or protection, — and then becoming alarmed at the consequences (of their tyranny) behold them stripping the people of their arms, and turning upon them with merciless violence, to silence their complaints or quell the resistance which such oppression could not fail to provoke.

People of Santa Fé! do you not feel and see these things? And how do you expect to escape from them? Do not flatter yourselves with the delusive hope that you will ever be relieved from the grasp of despotism by the final triumph of liberty in Mexico. This can never happen. There is no redeeming spirit in that Country to save her from the Anarchy and ruin to which the vices of her rulers have doomed her. The Sanguinary Strife which is now going on, and which has been bloodying the Sand for the last few years, like all the preceding struggles, is nothing more than an unhallowed contention between ambitious aspirants, who are seeking their own elevation only, and are animated by no other feelings than the love of rapine and murder. It matters not which succeeds, whether the Federal or the Central Party — the consequence will be the same — the plundering of the people and the defilement of the Nation. Mexico has now existed more than twenty years as an independent nation; and, during that period, what has been her history? It has been one of slaughter, desolation and depravity. Instead of assuming, as she was capable of doing, an honorable rank amongst the civilized nations, she plunged, from the very hour of her emancipation, into civil broils of the most ferocious

character;. and has been doing the work of destruction and death, upon her own people, from the days of Iturbide, down to the present period. The only cessation from blood, has been the necessary pauses for refilling the veins of the victims. Wearied and disheartened at these interminable strifes, and equally deploring the universal infamy which they have brought upon the character of the country, the genuine patriots of the land are now looking to the establishment of a regulated despotism, as the only escape from the accursed reign of faction, whose spirit has so long directed the destinies of the Country, and which still presides like a demon monarch, enthroned upon the liberties of the people, with the sword for his minister, and his motto — "Havoc, and spoils, and ruin are my gain."

Slight not, then, fellow Citizens, the overtures which Texas now makes to you. You are not invited to amalgamate with a nation of doubtful Stability or declining fortunes; but on the contrary, to unite with a well organised and an energetic Government, which possesses the willingness and the ability to vindicate its rights and protect ~~the~~ its citizens. You are not called upon to make a change of masters, but to become freemen; and by identifying yourselves with an invincible people, to enter at once upon a brilliant career of national happiness and glory. Wherever Texas has planted her banner, her foes have disappeared — order has arisen; villages have sprung up, and the wilderness has waved with luxurient fields. And now in the pride of her strength, and the fullness of prosperity — knowing no wants, feeling no feebleness, and fearing no perils, she offers to receive you into her bosom, and share with you her affections, her hopes, her fortunes, in a word, she invokes you to withdraw from the domination of corruption and injustice, and, uniting with her under the same Government, to climb together that lofty eminence to which she is rapidly ascending.

Believing that you are the friends of liberty, and will duly appreciate the motives by which we are actuated, we have appointed Commissioners to make known to you in a distinct and definite manner, the general desire of the citizens of this Republic, to receive the people of Santa Fé, as a portion of the national family, and to give to them all the protection which they themself enjoy. This union, however, to make it agreeable to this Government, must be altogether voluntary on your part; and based on mutual interest, confidence and affection. Should you, therefore, in full view of the whole matter, be willing to avail yourselves of this opportunity, to secure your own prosperity, as well as that of your descendents, by a prompt, cheerful and unanimous adherance to the Government of this Republic, we invite you to a full and unreserved intercourse and communication with our Commissioners, who are instructed to extend to you every assistance and cooperation to effectuate the object desired; and, at the same time to assure you that your religion will in no wise be interfered with by this Government. The only change we desire to effect in your affairs is such as we wrought in our own when we broke our fetters and established our freedom; a change which was well worth the price we paid; and the blessings of which we

now to attend to you, at the sacrifice of our lives and fortunes, if you are ready to receive them; and if not, we have ordered our Commissioners not to interrupet you in any of your rights, nor to disturb your tranquility; but to establish with you, if possible, such commercial relations as you may deem conducive to your own interests, and then peaceably retire from your City. I. Rinaudeau P.S. Samar

Department of State
Austin, August 30th 1841

Hon. A. Ferguson
C. I. San Patricio County,
Sir,

Your letter to this Department of the 5th Ulto. on the subject of certain charges that had been preferred against you on a recent occasion, by sundry citizens of San Patricio County, has been received.

It is true that a petition signed by a committee of the citizens of that county was not long since received, asking for your removal Requesting an appointment for another person. The writers of that petition seem to have forgotten, that it is not within the constitutional power of the President to remove you, let the charges against you be what they might. The chief Justices are not responsible to the President for their Conduct and can only be removed by impeachment. From this you will readily perceive that the President can take no notice of the Petition. Your letter and statement will however be laid before him as you seem to desire it.

I have the honor to be
Your Ob't Serv't
Sam'l. A. Roberts

Department of State
Austin September 1st 1841

S. W. Langer Esquire
Sir,

Your letter of the 26th ulto. has just been received, covering your account for printing the "Laws" and the Journals of the Senate.

The proposition made by you, and which was accepted by Congress, to do the public printing was "at eight dollars per octavo form, that is for every 200 sheets of eight pages each" which the proposition goes on to say is equivalent to 1/2 cent a page; the rate I perceive at which you have charged the printing in your account.

But this you will find upon examination to be an error in your calculation. The proposition as made and adopted, amounts to one dollar a page for every 200 copies. And it was so understood by the committee which reported on it. When your account is made out in conformity with the contract, the department is of course ready to make payment.

The Journals of the Senate have not been received at the Department. and of course no demand can be made for printing until that is done.

The rate at which you credit the department with the $6,000.— in the eight per cent bonds, is so much below the market value of these bonds at the date of the receipt that I should be unmindful of my duty as a public Officer, if I allowed them to go at the rate you place on them — viz - 23 cents — The receipt is dated the 20th May - All the New Orleans papers at that date quote them much higher — the Bulletin and the Picayune of the 21st May quote them 73 1/2 @ 74 1/2 cents, the lowest quotation I can find, between about the 5th April and that date — Besides this, they were relatively worth more than 23 cts in both Galveston and Houston at that date of the receipt. It cannot be expected that the Government is to bear any and every depreciation of the currency, which may chance to take place between the day of their payment and the day of the sale of the bonds in New Orleans On no price can fixed on than at the time they were paid to you, the only criterion to go by, is the value of the bonds in the Houston market, on the day they were paid — This can only be come at by consulting the tables of prices current published in the Houston papers at that time. I have not time to look up this information to day but will do so before the next mail.

I have the honor to be

Sir,

Your Obt. Servt

Sam'l A Roberts

Executive Department

Austin 6th September 1841

Sir,

Your communication of the 27th Ulto., charging Mr James H. Raymond, with having overdrawn his account while acting as "recorder of the Translator" of the General Land Office; and suggesting to the Executive "the propriety of ordering the auditor not to audit Mr Raymonds account for his salary" (as chief clerk in the Treasurers office) for the present month "unless the alledged overdraft is paid by him — has been received — I have caused a copy of your communications to be furnished to Mr Raymond and have received his reply thereto, a copy of which is herewith enclosed.

To prevent overdrafts and impositions upon the treasury department by those who have demands against the government — certain checks have been wisely bounded by law, (Mr. Raymonds account seems to have passed each stage appointed to ascertain its justness — It was approved by you — by the auditor and comptroller — The law presumes that these officers not only know but do their duty — and if the Executive should take upon himself to set aside their acts and to substitute his own in their stead, he would not only be acting uncandidly towards them, but he would be entering upon a duty which the laws certainly not expressly imposed upon him. Besides, the admission of the principle that the Executive could sit up and reverse old accounts long settled by legal and competent authorities, would lead to difficulties far

any good that could arise from it. It would render the acts of the Depart-
ments unstable and uncertain. much of the proceedings of one adminis-
tration might be reviewed and undone by another; nothing would be
fixed and settled; whilst the innumerable appeals that would be made
to the Executive would involve him in laborious and perplexing investi-
gations which he could not conduct with efficiency, without abstract-
ing much of his attention from more important and constitutional
duties. It therefore seems to me not to be the duty to exercise such a power even
if I have the unquestionable right to do it; but as the authority is wrapt
in mist & doubtful and uncertain, I feel it to be guided by the fol-
lowing principles of abstaining from the assumption of any power that
is not clearly delegated.

If any of the subordinates in a department should
by mistake in the hurry of business be allowed to overdraw his wages,
he is bound in honor, when made sensible of the fact, to correct the
error by refunding the excess. Should he however, decline to do this
I should not feel justified as the President of the Republic in arrest-
ing it from him by any summary or military process. I greatly
doubt therefore, whether the "Executive influence" which you invoke
could be properly exercised in the manner you suggest, even if the facts
as stated by you had been admitted by Gov. Playmond. But as there
seems to be a discrepancy between your view of the matter and his I feel
constrained to decline taking cognisance of a case, where I know of no law
that would authorize me to go into such an examination of all the evi-
dence as would enable me to pronounce a judgement, or to enforce the judge-
ment when rendered. If Gov. Playmond is indebted to the government
in the amt. you charge him with, it seems to me that the Courts of
Justice, are the only competent tribunals to decide upon the fact, and
to enforce the redress.

I have the honor to be
Your Obt. Servt.
Reuben M. Lamar

To
Thomas W. Ward Esq
Commissioner of the
General Land Office
Austin

Department of State
Austin City 3d Oct 1841

To
Francis Slauter Esqr
Chief Dist. Robertson County.

Sir, Your Letter to the
President of the 25th ult. informing him, that in the Senatorial
District composed of the Counties of Milam and Robertson,
James Shaw and E. L. K Wheelock, had each received
173 votes and were consequently tied, and that upon you
devolved the duty of giving the casting vote, has been
received. You further state and very correctly too,
that the law makes it obligatory on you to give the
casting vote, where as in the present instance there is a
tie, but from various considerations you have

refused to give information him to do so in this ~~instance~~ case.

If difficulty there arises, how is the election to be determined? I can suggest two methods, — 1st A resignation of your office that a Chief Justice may be appointed in your stead, who is not troubled with your scruples, and 2d An order by the President, to hold an other election.

As recurs to the latter expedient, would it involve an assumption of power on the part of the President which it would be difficult to justify. In extraordinary cases not provided for by the constitution or the laws, the President to preserve an entire fealty of the administration of the Government in some one of its branches, might, and perhaps ought to assume the responsibility of interposing the executive action. But this at best is a dangerous principle and ought to be admitted with great caution. The exercise of it would be a radical departure from the principles inculcated by our form of Government, and could only be tolerated by the universal salvation of the people

Such an emergency as I have here upon it does not seem to have arisen, — The law is clear and explicit, and if carried out, there can be no difficulty, — It says that in case of a tie the Chief Justice "shall decide the tie"

I am instructed therefore by the President to inform you that he does not consider that he has the power to comply with your suggestion of ordering another election in the present instance. —

The alternative presented by you in your letter is, I presume, for your consideration alone.

I have the honor to be
Your Obt Servt
Jam. A. Bayard
Secretary of State

Elijah Lovett Esq
Chief Justice Marion City

Department of State
Austin 6th Oct 1841

Sir, Yours of 21st Sept, in which you say that Sarah Albright has filed a protest with you against the election of the County Court, and in which you request the opinion of the Attorney General as to his course in the premises.

I am instructed by the Secretary of State to say, that you only way to obtain the opinion of the Attorney General in the case, is for you to make application through the President, as he is the Presidents constitutional adviser, and only to him can he be required to give an opinion. It is a case over which the Secretary of State has no control.

The law not being full and explicit in such cases, if Mrs Albright feels himself aggrieved, and cannot decide it, his proper course for a remedy is to the District Court.

vj

I send you a communication for a Justices of the Peace. The commission for the County Court Clerk, will be sent as soon as we learn who is legally entitled to the office.

Respectfully Your Obt Servt

Jo Waples

Asst Clk Dept State.

Department of State
Austin, 18th March 1841.

To

Major Geo. T. Howard.

Sir-

We are instructed by the President to say through you to the Merchants of Velasco, that an expedition is contemplated to Santa Fe; and that they will be furnished with transportation for ten thousand dollars worth of goods if immediately transmitted to this place; and such aid in the transportation of any amount the said Merchants may be able to have here by the 10th of May, as the Government may be able at that time to afford.

The expedition will leave here at the farthest by the 10th of May, and the Government will afford every facility in its power to the Merchants who may entrust their goods on the expedition, the reasons of not giving a more definitive assurance will be explained to the Merchants by Major Howard

Such other Stipulations as the Government deem will be conducted by Col. McLeod it being understood that you act in behalf of the Merchants mentioned.

Any goods imported under the Stipulations connected with the expedition to be at this place by the 10th of May, and made for that object, will be admitted at Dimmitt or any other port upon bonding the same, to be paid upon the return of the expedition to this place.

Respectfully, Your Obt Servants
James S. Mayfield
Secty of State
John G. Chapman
Secty of Treasury

This should have been recorded on page 214.

Department of State
Austin, 19th October 1841.

To His Excellency
Mirabeau B. Lamar.

Sir:

The period having arrived for submitting to you the annual Statement of the proceedings of this Department, I have the honor, in conformity with your instructions to lay before you an abstract of its operations, together with such portions of the Foreign and Domestic correspondence, as you will

probably think it necessary to lay before the honorable Congress.

Since the last annual report from this Department, no very material change has taken place, in our foreign relations, though for a time the good understanding which has heretofore been maintained between this Government and France, was seriously jeopardized by a misunderstanding, which unfortunately arose between this Government and the Chargé d'affaires of France, near this Government.

Document (A.) exhibits copies of the correspondence which took place between the Secretary of State and M. Saligny on that occasion, and also the letter from this Department transmitting the correspondence to our Chargé at Paris, with instructions to lay the same before the Government of France. — As yet, no reply has been received from Mr. Mc. Intosh, to the letter from this Depart=ment, but General Hamilton, who visited Paris for the express pur=pose of advising with, and assisting Mr. Mc. Intosh, in making a fair representation of the points at issue between this Government and M. Saligny, wrote to this Department, under date of the 22nd of July, and enclosed a copy of a note which Mr. Mc. Intosh had previously addressed to M. Guizot: and concludes his letter with the assurance that "no demonstrations of a hostile or even doubtful character, will be undertaken by the French Government against Texas, however tardy the Minister of Foreign Affairs appears to be in his reply to Mr. Mc. Intosh's letter". — I think I may safely advise your Excellency, that the harmony heretofore so happily existing between the two Governments, has only been suspended for a short time, and that it will in all probability be speedily restored.

Near the close of the last session of Congress the Treaty of amity and Commerce between Great Britain and the Republic of Texas, which was signed at London on the fourteenth day of November 1840. by the respective Plenipotentiaries of the two Govern=ments; and the Convention entered into between the same parties, for the suppression of hostilities between Mexico and Texas, which was signed on the 14th day of November 1840. were both laid before the Senate and received the confirmation of that body, the former on the 26th and the latter on the 28th of January 1841. after which they were both ratified by the President. — A short time after the adjournment of Congress, another Treaty, signed at London on the 16th November 1840 between Great Britain and Texas, for the suppres=sion of the African Slave trade, was also received. — This Treaty, coming after Congress had dispersed, could not receive the confirmation of the Senate within the time contemplated by the framers of the Treaty and as it was expressly stipulated that the ratifications of the three Treaties should be simultaneously exchanged, this unfortunate delay has prevented the exchange of the ratifications of the two Treaties which have already received the sanction of the President and Senate.

In consequence of this a protocol of conference has been signed by the respective Plenipotentiaries of the Governments, extending the time for the exchange of ratifications of the three Treaties, to the 1st

of June 1842 — a copy only of the Protocol of conference has reached this Department — Genl Hamilton will probably present the Original in person, sometime during the Session of Congress — No official information has reached this Department, of the exchange of Ratifications of the Treaty between this Government, and the Netherlands Though there can be no doubt that it has been done, — and that Genl Hamilton will bring the Treaty with him on his return from Europe early in the Winter.

The Hon James Webb, who was sent as the agent of this Government to Mexico, under a Secret Resolution of Congress passed at the last Session?, was not furnished by the authorities of that Government to land. — Copies of the correspondence which passed between and between Mr Pacheco, the Minister of Relations residing in Mexico, and the Mexican Minister of foreign affairs, on the same subject, together with Judge Webb's letter to this Department on his return to Galveston, are herewith submitted, and may be found in Document (C)

Document (B.) exhibits the report of Messrs Van Ness and John D Morris, sent agents to the Mexican General Arista, who were despatched by your Excellency in the Month of June last.

Document (D.) contains copies of the correspondence which recently took place between this Department and Col Fuaza, a Special commissioner from the State of Yucatan. The object of his mission is well understood by Your Excellency and is explained at length by the correspondence.

I had hoped to be able to inform you of the completion of the Treaty of Amity, Commerce and Navigation, between this Government and that of the United States — nor do I yet despair of doing it, at an early period of the Session of Congress. — Our Chargé d affaires near that Government, has pursued this subject with earnestness and zeal, and expresses confidence in coming speedily to a satisfactory understanding

I have the satisfaction to report to you that the joint commission of Texas and the United States, have completed their labors, having marked the boundary line from its commencement on the Gulf of Mexico to its termination on the Red River — a considerable portion of territory, heretofore supposed to belong to the United States, is stripped by the tracing of the line, to be within our bounds. — A full report, has not yet been received from the Commissioners on the part of this Government.

A letter only has come to hand, announcing the completion of the work, with a promise of a more detailed account at an early period. As soon as it reaches this Department, it will be laid before Your Excellency.

So much of the act of Congress passed 26th January 1839. as relates to the surveying of forty leagues of land for the endowment of two Colleges or Universities has been completed. — about forty of these leagues are situated in Fannin County on the Red River, in and near the cross timbers, and are represented by the Surveyor, as being of a superior quality. — The tracts are in small bodies of from one half to three and four leagues in size. — a map of this land has been made out and deposited by the Surveyor in the General Land Office, and all the requisites of the Statute, have been strictly

complied with.— The other Leagues, or Thereabouts, have been located in Nacogdoches County.— The field notes have been returned to the General Lands Office, but there is no plat accompanying them,— at least there is not such an one as is contemplated by the Statute.— Indeed, the lands cannot, from the description given, and the imperfect plat forwarded be designated upon the Map of the County— I would therefore respectfully suggest that Steps be taken to perfect this last survey, so as to make it comply with the requisitions of the Statute.

It cannot, strictly speaking, be considered within the province of the Secretary of State, to notice the non execution of that portion of the act of the 26th January 1839. as relates to the location of three Leagues of Lands in each of the Counties of the of the Republic, for the purpose of establishing primary Schools or Academies, in such Counties— But as it forms a part of our general System of Education, and as the difficulties encountered by the several Counties, have come to the knowledge of this Department, I hope I may not considered as stepping out of my line of duty, in mentioning them in this place.— Some of the Counties, it is believed, have been able to have the Lands Surveyed, and the Surveying paid for, according to the terms of the act— But by far the greater portion, have found it utterly impossible to defray the charges attending the Surveys, out of the County Treasuries, and unless some assistance is rendered them by Congress, or some alteration made in the mode of paying for the Surveys, the is reason to apprehend that this munificient endowment, will not answer the expectation of Congress— already have all the most valuable Lands in each of the settled Counties been taken up: and such as remains of a Secondary quality, are also being rapidly Surveyed.— These primary School Lands must then be necessarily located on the vacant lands in remote and unsettled parts of the Country, where lands are comparatively of little value, and so must remain for a long time to come.— Such lands will be altogether valueless to the Counties, as a means of establishing Schools, for a number of years.— The restrictions imposed by the Statute and the great quantity of Lands in Market, not admitting of their being advantageously disposed of; and their location without the Counties to which they belong, rendering it impossible that they can be used, even for the purpose of erecting suitable buildings for School houses.— — I would therefore respectfully call your attention to this important Subject, that you may if you think it advisable, present it to Congress for their Consideration.

By an act of Congress of the 18th January 1841 passed at the last Session, the Office of Post Master General was abolished, and the duties heretofore performed by that Officer, devolved upon the Secretary of State.— It therefore becomes my duty to report to your Excellency the Condition of this branch of the Government.

It could not reasonably be expected that the vast and complicated machinery of the mail route System, could be put at once, into operation, over a Country of the extent of ours, without encountering many difficulties, calculated to produce irregularities and failure Accordingly for a time, this establishment, which proved

of a heavy expense to the Government; was, owing to the doubts and suspicions which were cast upon it, by repeated failures - not trusted by the people, (except in cases of absolute necessity) as a means of conveying their letter papers &c -- The consequences were inevitable.--- The revenue was insignificant, and the advantages which the community derived from it were nearly nominal.--- But with the lapse of a few years, considerable changes have taken place; roads have been made; bridges have been constructed over the water-courses; and the transportation of the mail has gradually become more certain and regular, until at least it has assumed a fixed and permanent character, and now a failure is of rare occurrence.

Indeed such has been the punctuality of the Contractors, that on the principal routes, not a single failure has been reported to this Department, for the last six months.

The first and most material consequence of this improved condition of the mail, is, a great increase in the number of packages sent by it -- On some of the routes the mails have already become extremely burdensome, and loud complaints reach this Department from the Contractors.— They have all contracted to transport the mail on horse-back.- The contract, it is true, does not stipulate whether one or more horses shall be employed for this purpose, but it has always been understood that one horse would suffice for the mail and the rider; and the bids of the contractors were all made upon this supposition,— But of late, the great weight of the mail, has, in several instances, compelled the Contractors to use and additional horse, or to leave part of the mail behind.— Those who were able to furnish the additional horse, have, as far as I have been able to ascertain the fact, always done so, when it was necessary.— But some of the Contractors are not in circumstances to place more than one horse on their routes.— To obviate for the future this evil, I would respectfully suggest, that the Secretary of State should be authorized to have the mails transported in carriages, whenever he shall be satisfied that a single horse will not answer the purpose.

I regret to state, the appropriation made by the last Session of Congress, has not been sufficient to defray the expenses of transporting the mail to the close of the year. Since the increase in the rate of postage, (which did not go generally into effect, until about the first of April), the revenue from that source, has been considerably augmented: but even with this addition to the sum appropriated by Congress, it falls far short of meeting the amount of liabilities contracted by the General Post Office.— The sums due to the Contractors for the Quarter ending the 30th September, are not more than half paid, though they have in every instance, continued to transport the mail, under the confident expectation that Congress will, at an early, make an appropriation sufficient to pay the amounts due on their Contracts.

By an act of Congress passed the 28th January 1841. the Secretary of State was limited to ten dollars a mile, as the maximum price he was authorized to pay for the transportation of the mails.— This act has been complied with in every instance save one.—

The route from this place to the Town of Houston, is considered the heaviest one in the Republic, and only one individual put in a bid for it at the rate fixed by the Statute on account of the inadequacy of the price allowed; even he failed to give the Security required by the law after his proposal had been accepted. — In this emergency, to prevent an entire stoppage of the mail on the most important line of mail routes in the Country, the Hon. J. S. Mayfield, the then Secretary of State, assumed the responsibility of making a contract with Messrs Hightsmith & Jones, for thirty four hundred dollars, for carrying the mail on said route, from the first of April 1841. to the first of January 1842. — This amount it will be perceived is considerably over the limits fixed by the act, but from all the information which I have been able to obtain, no contract for a less sum could have been made with any one capable of performing the contract. —

Under these circumstances I think your Excellency will agree me, that the emergency justified the Secretary in departing in this instance from the letter of the law.

The Act regulating the mail contracts admits of them being made for a period of two years. — Many circumstances however have hitherto combined to render it advisable, not to contract for a longer period than one year, the business was to be an experiment on the part of the contractors, as also upon that of the Department — our money was fluctuating in value; and the revenue which it was hoped to derive from it, and which ought mainly to support it, was extremely uncertain and precarious. —

These, and many other reasons of a similar kind, I conceive fully to justify the head of the Post Office Department, in making Contracts for one year only, up to the present time. — But as most of these reasons will not obtain for the future, a longer term than even two years for the mail contracts, seems to me to be advisable. — The routes are now all established. — The contractors have had time enough to ascertain by experience, exactly how much it will cost them to transport the mail on any given route, and, it is not unreasonable to expect that our financial condition, will before very long be considerably meliorated. — In view of these changes, those who are willing to contract for the transportation of the mails for one year, would prefer to contract for three years at a reduced price. — For the business would then be more permanent, and they could better afford to purchase good Stock; establish Stands; and do (if Stages are used,) buy good Stages. — These are all so very obvious, that information derived from experienced contractors, need hardly be mentioned to support the argument. —

Much however to this effect has been received, and if necessary can at any time be furnished, if any further information be desired. — I am decidedly of opinion that here that how many much might be saved to the Government, and at still greater permanency and consequently value given to the mails, if the contracts were let out for three years, instead as hereto fore of One; and would respectfully recommend the subject to consideration of your Excellency. —

Document (C.) is a report by the Chief Clerk of the Post Office Department upon the general condition of the Post Office Department and its contingent expenses, for carrying the mails for the year 1862.

Document (D.) is a communication from Governor Gilmer, of Florida, transmitting the application of Messrs. Call & Brothers, for the introduction of steam vessels, within three years from the date of the contract, to be employed on certain routes therein specified, for which proposals are invited by the Postmaster General.

Document (E.) is a report of the Chief Clerk of the Department, showing the quantity of printing which has been done for the Government, and executed at the Department since the adjournment of Congress, with other matters of his, which are recommended to the consideration of your Committee.

Respectfully submitted to the Senate by the

Committee on Post Offices and Post Roads.

Since writing the foregoing report, I have been informed by Mr. A. H. Conger that Sometime in May last he entered into a contract with the Hon. J. A. Hagerdon, of the State of Florida, for printing five thousand copies of the laws of the 37th Congress, translated in the Confederate language; that the same time, that he came in possession of the previous proposals, and his undertaking by the same contractor.

Upon examining into the contract in which the translation of the laws is printed, I find that the cost of printing, folding, and stitching the acts of the first session of the Congress, making a book of one hundred pages, is about the cost of translating, which will make the book cost the Government $2224. or $2.24 a volume in four parts, which is equivalent to $1.12 per volume.

By the acts of 1851 & 52 the postage, when sent in packages, could be reduced to the rate of one cent per ounce. By the act of 1855 & 56 the postage on printed matter was reduced to one cent per ounce, when sent in packages, which reduced the postage on printed matter to one cent per ounce, when sent in packages, which reduced the postage on printed matter to one cent per ounce, when sent in packages, which reduced the postage on printed matter

under these circumstances, I could not hesitate on the
duty of the steps to be taken in forwarding the above information from
the Congress, which reflects so little honor on the character of those
who are charged with the affairs of the United States (U.S.) in dissolving the contract, I cannot
help but think in the present unfortunate condition of the Treasury
there is much propriety necessity for these translated statutes and
documents the printing of Two copies of the Treasury in charge to
the Country. I shall send Two copies here with two printed
of the acts of any Session in Congress, for a sufficient number
to be laid before each House of Parliament, for the information
of the Spanish Government, and I would suggest that Copies
should be printed in the Spanish Language, and I would
have printed in the Spanish Language, and I would
have printed in the Spanish Language, and I would
have

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The documentary evidence which is alluded to in the letter of this date was only received a few days ago, and as I propose to lay it before your Excellency, that the subject may be submitted to the consideration of Congress.

I have the honor to be, with great respect, Your Ob't Servant
Sam'l A. Roberts

To His Excellency
J. Monteagle P. of Senate.

Department of State.
Austin, Oct 12th 1841

Col.
Sam'l A. Roberts
Sec'y of State.

Sir,

In accordance with your request, I herewith submit you a Statement of printing done for this Department since the adjournment of the fifth Congress, and which has been received.

300 Copies of the laws of the Fifth Congress from S. M. Cruger, (and the requisite number have been distributed to the Civil Officers throughout the Republic)

500 copies of Journals of H. of Reps from S. M. Cruger

500 copies of appendix to Journals of the House of Representatives from Sam Whiting.

500 Copies of the Constitution in Spanish and the President's address to the Citizens of Santa Fe in English and Spanish from S. Whiting.

The Journals of the Senate (300 copies) printed by Mr Cruger are ready for delivery, but in consequence of their not corresponding with the record copy of the Senate, they have not been received by the Department. It would be proper here to remark that the printed copy agrees (so far as examined) with the copy made by one of the Clerks of the Senate. It has therefore been thought proper to let this matter depend for the action of the Senate, for them to say whether or not they should be received.

I would also here remark, that for some cause the Journals of the House of Representatives are not ready to deliver; nor were they received by the Dept until late in the month of September.

The appendix to the Journals of the House of Representatives was ordered to be printed by the Hon. Hamet H. Mayfield, then Secretary of State, and a contract for the work made with Major S. Whiting on the 22nd March, (see Copy of contract accompanying), — On account of said work there has been paid the amount of $423.50 par funds, equal to 300 promissory notes at 4 for 1. $1.50. — leaving a balance yet due Mr Whiting of $166.50 par funds.

For printing the constitution in Spanish and the Presidents address to the Citizens of Santa Fé in English and Spanish, the cost of which was $.420. par funds, the Department is yet indebted to Mr Whiting.

Accompanying is a copy of a letter from Geo. W. Paxton, agent for Mr Whiting, with an account for books bound under the "Act regulating the distribution of the laws and Journals" approved 3rd Feby 1845. In order to preserve in good order the Original acts passed by Congress, each of the two last sessions have been bound, making four large books, (for which purpose there was no appropriation made) and which you see is charged in this account as equal to 30 volums of Journals, which have not been bound.

The Journals of the House of Representatives being so large, and the inner margin so narrow that it was impossible to stitch them together in the usual form, we therefore had to make an extra allowance to the binder to have them sewed, which has cost one hundred and twenty dollars par funds, equal to 192 ch per copy, which amount is yet due Mr. Hanson, the binder.

With regard to printing the Spanish translation of the laws, there has not been much done since the adjournment of the last Congress, that we have been apprized of. The appropriation then made of $ 10.000 was paid to Messrs Creuger & Moore for arrearages due for said printing. Since the adjournment of Congress Col. Mayfield made a contract with Mr Wm Seeger for translating the laws of the fourth & fifth Congress, upon the same terms of the contract with Mr S. Andrews, (a copy of which was furnished the last Congress. See appendix page 30) how Mr Seeger has progressed with the translation I know not, This Department recently received a letter from Mr Creuger in which he says he made a contract with Col. Mayfield for printing this translation when he Col M. was in Houston, but a copy of the contract has not been furnished the Department.

I would suggest the importance of Congress requiring all the public printing to be done at the Seat of Government where it may directly under the supervision of the Dept. having it done. This suggestion has been brought more forcibly to my mind, by the inconvenience, trouble and long delay attending the printing of the laws of the fourth and fifth Congress which was done in Houston for the "Telegraph Power Press", and which had caused so long an erratta appended to the acts of these sessions; as well as the incorrect manner in which the Journals of the Senate are printed. — Besides if done here they could be distributed at an early day after the adjournment of Congress

I have the honor to be
Your Obt Servant
A. G. Maples
Chief Clerk Dept

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Department of State
Austin. Oct 24th 1841.

To the Hon.
Sam'l P. Roberts
Sec'y of State.

Sir—

Since the last report of the Chief Clerk of this Department as the Head of the Patent Bureau— I have granted and issued eight patents to inventors and two copy rights to Authors.— viz—

To David B. Welding a patent for an improved vibrating Shingle Machine.

To Jonathan Golding a patent for improvements in the Coupling Plough.

To John. Price a patent for a Tank or Burner
" do do " " " an improvement in Cotton presses.
" do do " " Chimney
" do do " " Mill-dams.
" do do " " a Texas Pony

To B. Durand, a patent for a double and Single Plough

To Anthony B. Shelby a copy right for digest of the Laws of the Republic of Texas.

To Anderson Hutchinson a copy right for "Code of Texas, an organic constitution of the Constitution and subsequent decrees, ordinances and Statutes that have been and are now operative in the Republic &c &c

The original inventor or author has in each case complied in person and complied with the requisitions of the Law, authorizing the issuing of "Patents Rights To inventors".

The amount received by me since the last report for Patents has been three hundred dollars in Texas promissory notes, which amount I have now in hand. The law creating the Office, and placing the chief clerk of this Department as the head thereof, allows an additional salary of five hundred dollars per annum— The last Congress made no appropriation for the payment of this additional salary. Therefore I have not yet paid this sum into the Treasury, believing that it was accidentally overlooked, and that the ensuing Congress will not require it to be paid over, but will authorize the payment of two hundred dollars more, the balance of said salary which will be due at the expiration of the year.

Numerous applications have been made by aliens (Original inventors) and their agents for Patents for discoveries and inventions, all of which have been rejected.— I would suggest the propriety, (as a patent office has been opened,) of granting the privilege to such to obtain patents, upon certain restrictions,— that they should pay double or treble the amount for a Patent right that Citizens or those intending to become citizens pay. That they should comply with the

act now in force in far as regards the time such invention or discovery has been in use, — That the original applicant (alien) should produce a certificate properly attested in the Country where he resides That said discovery or invention is his own, or if the application is made through an agent he should together with such certificate produce a proper authority as such agent, — A law of this kind would not interfere with the objects contemplated in the act now in force, and would produce a small revenue, at least sufficient to pay the expenses of the Bureau.

I have the honor to be
Your Obt Servt
Dr Naples
C. C. Dept of State

Department of State
Austin, October 26th 1841

O. M. Conger Esqr

Sir —

Having, for the first time, been informed by you yesterday morning that Mr Mayfield, while in Houston a few days last had entered into a contract with you for the printing of 500 Copies of the Laws of the Fourth & Fifth Congress, into the Castillian language, I have taken the earliest opportunity of notifying you of my determination to disavow said contract — for the reasons —

1st — There is no appropriation for the work.

2nd — The number of copies greatly exceeds any possible demand, that will be made for them being nearly equal to — one person speaking the Castillian language in the Republic

3rd — The price charged for the work is too high, being about double the price charged for printing our Laws in English, so that to distribute the Laws to the few Mexicans in the Country it will cost just double the same we pay for distributing the same Laws in English. — The Session of Congress too, is so near at hand that no serious injury can result from the course I thought it my duty to adopt, for the purpose of saving what I consider a useless expenditure of a large sum of money. — If the Congress see proper to continue this work, they will of course do so, but I very much if they will, in the present exhausted condition of the Treasury, authorize the expenditure of Seventy five thousand dollars for this purpose which is about the same it would now cost in our Treasury notes to translate and publish the laws of the two last sessions.

You will therefore consider your contract at an end.

I am Sir
Your obt Servt
Saml. A. Roberts

D.L.G.

Department of State.
Austin, Oct 20th 1841.

Hon.
A. P. Crittenden
Sir.

The President has been pleased to appoint you Chief Justice of the County of Nacogdoches, to fill the vacancy occasioned by the death of Judge Scott.

Your Commission is herewith enclosed the acceptance or rejection of which, you will please communicate to this Dept forthwith.

I have the honor to be
Your Obt Servt
Jno. A. Roberts

Department of State
Austin, 6th Nov 1841.

To the Hon.
Speaker of the H. of Repts
Sir,

In accordance with a resolution of the House of Representatives of this date, requesting the Secretary of State to furnish evidence of the appointment of the Hon. A. Ferguson, to the office of Chief Justice of the County of San Patricio, and the date of his resignation of said Office; by request of the Secretary of State, I have the honor herewith to enclose to the House of Representatives a copy of a petition of the citizens of the County of San Patricio recommending said Ferguson to the Office of Chief Justice of said county (dated 23rd April 1841) which was received at this Department, and a commission made out and forwarded in accordance with said petition on the fifth of May 1841. — Also resignation of Judge Ferguson as Chief Justice of the County aforesaid as dated 1st September 1841.

I have the honor to be
Your very Obt Servt
Jno Hamblen
Act. Dept of State

Department of State
Austin, Nov. 11th 1841

To the Hon.
David G. Burnet
President of the Senate
Sir

In the list of appointments by the President since the adjournment of the last Congress, made out from the register of this Dept addressed to him, and which was sent to the Senate on

yesterday, the name of P. I. Moore Attorney General was accidentally omitted, his appointment bears date 10th. May 1841.
I was requested by the President to inform the Hon. Senate of this communication.

I have the honor to be
Your Obt. Servt
A. Dev Walker
C. C. Dept. State.

Department of State.
Houston, Nov. 3rd 1841.

Sir.

I have the honor to notify you of the resignation of William Ellis, Chief Justice of Panola County, which has been received at this Department.

Very respectfully
Your obt. Servt
A. Dev Walker
C. C. Dept. of State.

Hon. Sam. Houston
President of the Ho. of Reps.
& President of the Senate

List of appointments by the President since the adjournment of the fifth Congress, as per register of the State Department.

1841.

Sept. 4th. Wm. A. Roberts, Secretary of State
April 24th. Alexander H. McGuffey, Consul at Cincinnati Ohio
August 23rd Sam. G. Taylor, do " Norfolk Virginia
March 6th Jno. G. Freeman, Notary Public Houston County
" 15th Jno. A. Austin, do do Port of Aransas, Nueces Co.
May 11th Charles D. Stewart, do do Montgomery County
June 4th Robert Kone, do do Galveston do
" 11th Robt. W. Smith " " Velasco "
July 19th William O'Connell, " " Austrop. "
Aug. 26 William H. Jackson, " " Matagorda "
March 15. Thos. H. Barton, Collector of Customs, Port of Brazoria
Velasco
Oct. 6. Newton H. Potter, " " " "
March 15. Patrick C. Jack, District Judge, 6th Judicial District
Sept. 18 Richard Morris, " " 1st " "
April 24. Peter W. Gray, District Attorney 1st " "
July 21. William A. Craig, Chief Justice Washington County
Oct. 6. W. S. Gordon. " " San Patricio "
July 10. Elijah Isbell " " Houston "
July 12. A. J. McDonald " " Victoria "
March 31. James Cooper " " Spring Creek "
April 24. Geo. W. Browning " " Bennet "
May 11. Sam. McHenry " " Harrison "
July 10. Joseph Lee " " Travis "
Oct. 26. Alexander P. Bullock " Brazoria "

The office of Chief Justice of the County of Colind is vacant by the resignation of H. G. Hunter.

also of the County of Hill Island, for the election of Wm Cage
. Martin Esq.d to the Senate.

Department of State
Austin, Oct.r 14.th 1841.

Sir
His Excellency
. Mirabeau B. Lamar.
Pres.t

I have the honor to
transmit to you a list of appointments made since the
adjournment of the regular Congress and now register in this
Department, together with the vacancies in the Offices of
Chief Justice and Several Counties

. I have the honor to be
your ob.t Serv.t
Sam.l A. Roberts

. Department of State
Austin, Nov.r 11.th 1841.

To His Excellency
Mirabeau B. Lamar
Pres.t

Sir

. I have the honor to enclose
the letter of Geo.e W. Smyth Esq.r Commissioner on the part of
Texas to run the boundary line between this and the United
States Government, transmitting the Journals of the Commis-
sioners which furnishes in detail all the information of a
material character. — . Mr. Smyth informed me verbally
that the Texan Surveyor, Mr. Grupe would furnish the
Government with a drawing of the survey, as soon as he
reached the Seat of Government.

I have the honor to be
Your Ob.t Serv.t
Sam.l A. Roberts

Department of State
Austin, Nov.r 12.th 1841

To the Hon.
The Speaker of the
House of Representatives.

Sir

I this morning received
through the hands of the Chief Clerk of the House of
Representatives, a Copy of a resolution in these words viz:—
"Resolved that the thanks of the House are due and
"they are hereby tendered to William Kennedy Esq.r for the distinguish-
"ed author of a work entitled "Texas the rise, progress and
"prospects of the Republic of Texas", for this very liberal
"present of his valuable work to the House of Represen-
"tatives of the Republic of Texas, and that the Secty

"of State be requested to transmit a copy of this Resolution
"to the President".

The request in the foregoing Resolution must be construed as mandatory, otherwise the intentions of the House might be defeated by the mere whim or caprice of the Secretary of State, even though the competency of the House to act within the scope of the resolution, might be indisputed. Regarding it then, as the mandate of the House, the question arises — has that body the constitutional right, acting in its separate capacity, to lay its commands upon the Secretary of State, to execute its biddings in a manner totally disconnected with its legislative functions?

That the Office of Secretary of State is one of the Executive branch of the Government, is so well understood that I need only advert to it; and that the Executive is, within his sphere of action, entirely independent of the Legislative branch of the Government, is equally clear. His duties are defined in the constitution and in the laws passed in conformity with the Constitution; and neither House of Congress, has any more right to add to those duties, or to take away any power which has legally been conferred upon him, than he would have to encroach upon their prerogative. They are each independent, the one of the other.

The framers of our constitution so intended it, and so declared it. One of the prerogatives of the President, conferred on him by the Constitution, is, that he shall appoint, with the advice and consent of the Senate, a Secretary of State, and such other heads of Executive departments, as may be established by law. When once made, these different Officers constitute a portion of the Executive power of the Government — bearing the same relation to the President, as the branches do to the tree — deriving their vitality from, and performing all of their functions through him. He is the channel through whom all communications to Congress must flow. In contemplation of law, every act of one of the heads of Department, is the act of the President, for it is his duty to "See that the laws are executed", and that he may "see" it, it is his privilege, as well as his duty, to direct the time and the action.

I am aware that the practice of this country has been, for either House of Congress to call directly upon the heads of Departments for any information they may desire, and it has always been given without questioning the authority which demands it. It has thus grown into a kind of usage, and has so long been acquiesced in by so many men of sense in this Country, who have occupied stations at the head of the different Departments, that I have been

Fact to express my opinion in favor of the right of authority especially as no occasion has yet arisen from which such right could probably result, from an observance of the practice — that that either House of Congress has any right to demand any thing from the Executive Departments, but whatever seemed to me, more than doubtful

It appeared the duty of the President to communicate from time to time to Congress information touching the public interests which he understood to be right, which the Congress possessed, to ask for any information they may desire from the President; but even then, he is to be the sole judge of the propriety of giving or withholding it. This position will hardly be questioned, and cannot be controverted. If then it be admitted that neither House of Congress has any right to demand any thing from the Executive Departments, but whatever seemed to me, more than doubtful

It appeared the duty of the President to communicate from time to time to Congress information touching the public interests which he understood to be right, which the Congress possessed, to ask for any information they may desire from the President; but even then, he is to be the sole judge of the propriety of giving or withholding it. This position will hardly be questioned, and cannot be controverted. If then it be admitted that neither House of Congress can compel the Executive to transmit information, which he may think it advisable to withhold. The conclusion is irresistable, that they cannot compel one of the heads of the Departments to answer any inquiry or to obey any resolution, undertaken by the simple vote of one of the Houses of Congress. Or if either House be allowed to issue its orders to the Heads of the different Departments, and if they are bound to execute those orders, without any reference to the President, then could either House directly, what they cannot do directly — they could place the Heads of Departments over the President himself, and thus usurp and exercise the whole Executive power of the Government. — They could not only annul acts, but they could take their execution out of the hands of the President (where the constitution has confided it) by summoning the heads of the Departments before them under resolutions of Congress. — Thus might the Heads of the Departments, which are constitutionally a part of the Executive power, become the ministerial officers of the two Houses of Congress, instead of being the officers of the President, and either House, through them, might supersede the President altogether, and become the Executive of the nation.

It would be easy to pursue the argument at still greater length, and to point out the absurdities into which we should be plunged, by yielding to the dangerous power, heretofore claimed and exercised by the two Houses of Congress. — But as the position must under consideration rests upon still narrower grounds, I have confined myself to what is absolutely necessary to illustrate the positions I have assumed.

I have heretofore supposed only such cases, as related directly to the ordinary duties of Congress, I mean, to the legislation of the country. — The resolution now in question has no such relationship. It is a mere expression of opinion on the part of the House upon a matter no wise appertaining to its ordinary legislative duties, and is communicable only through the proper organ of the House, the Speaker. — It can never

be communicated by the Secretary of State in his official character. — How he can only know officially what it is his official duty to direct. — The House keeps its own records, and can alone certify from it. — The seal of State can only be affixed to instruments originating with the Departments of State, or certified from it, where the original is on file and in the keeping of the Secretary. — The act now required to be certified by him, falls under neither description.

I have already said that I greatly doubt any right in the House of Representatives to require of the Secretary of State the performance of any act, even when he is in full possession of all the facts necessary to its execution. — But here is a case where he is either required to set his official certificate to a fact, about which he has no official knowledge, whatever, nor can he have any; or to perform a purely clerical act, which constitutes no part of his duty — upon either ground I feel constrained to decline to comply with the resolution.

I have therefore

The honor to return to the House of Representatives the Resolution, with the foregoing reasons for my non-compliance.

I have the honor to be

Your Obt Servt

Wm. L. A. Roberts

Secty of State.

Department of State.

Austin Nov. 25th 1841.

Sir,

Mr. Waples in answer to a Resolution of H. of Rep. asking information in relation to expenditure of appropriation for contingent expenses.

In compliance with a resolution of the Hon House of Representatives of yesterdays date, requiring That the various departments and bureaus be "instructed to furnish this House with a statement of how they have expended the appropriations made for contingent expenses" by instructions of the Secretary of State I this day addressed Mr. Auditor (who has all the vouchers) the following note — accompanied by the Resolution viz.

"Sir,

I am instructed by the Secretary of State to request you "to give this Department a statement of the expenditure of the contingent "appropriation of this Department for the year 1841 as required by a Reso "lution of the House of Representatives of the 24th inst." To which I have just received the following reply.

Treasury Department

Auditor's Office, Nov. 25th '41.

To Mr. Waples

chf. clk. D.

Sir,

In answer to your communication

with an accompanying Resolution of the H. of Reps. requesting information with regard to the disbursements of the several contingent funds of the different Departments and Bureaus; I would beg leave to refer you to the monthly report of the Auditor and Comptroller, furnished to the Sec'y of the Treasury, and by him referred to Congress, in which it will appear particularly and in detail, all the amounts drawn on such accounts, and for what purpose, when, and upon what authority, showing the balance remaining in the Treasury if any.

Should a further statement be required, please notify me.

I have the honor to be

H.

(Signed) Charles Moran

Auditor

I am instructed by the Secretary of State to lay these communications before the Hon. the H. of Reps. for their consideration.

I have the honor to be

Your obdt. Servt

Jno. Naples

Chf. Clk. Dept. State

To the Hon.

R. M. Anderson

Speaker H. of Reps.

Department of State

Auditor's, Nov: 25th 1841.

Sir,

Jno. Naples

To Auditor

I am instructed by the Secretary of State to request you to give to this Department a statement of the expenditure of the contingent appropriation of this Department for the year 1841, as required by a Resolution of the House of Representatives of the 24th inst. as follows.

Expenditure of contingent funds of State Dept.

"Resolved,

That the various Departments and Bureaus be instructed to furnish this House with a statement of how they have expended the appropriations made for contingent expenses."

I have the honor to be

Your Obdt. Servt.

Jno. Naples

Chf. Clk. Dept. State.

To

Charles Moran

Auditor.

Department of State
Austin, Dec. 27th 1841.

To the President of the Republic of Texas.

Sir,

Secy of State to President

I have the honor to communicate herewith a copy of a letter just received at this Department from the Hon. Geo. transmitting A. McIntosh, our Chargé d'affaires at the Court of St. Cloud, giving information copy of letter stating of his great and pressing pecuniary necessities & asking for funds from the Chargé to be transmitted him immediately.

Mr. McIntosh has heretofore received drafts upon our Secretary of Chargé d'affaires at Paris and a Commissioner in Europe, from the proceeds of which he has effected to commanding realize the means required for his purposes; but they having finally that the same failed in their negotiations, the expectations of Mr. McIntosh have to be submitted consequently been disappointed. There are no means at the disposal of to Congress. this Department which can be promptly applied to meet the urgent requirements of Mr. McIntosh, and as this is a matter of importance and one in which not only the credit and character of our Representative in France is concerned, but also that of our Government and Country, I would respectfully recommend that the matter be submitted to Congress for their immediate action in the premises.

I have the honor to be
with the highest respect
Your Obedient Servant
Anson Jones
Secretary of State.

Department of State
Austin Dec. 28th 1841.

To the President
of the Republic of Texas

Sec'y. of State to President

Sir,

I have the honor to transmit you herewith the transmitting copy of a communication from A. C. Hyde Esq., Clerk of the Bureau copy of acct of the Gen. Post Office attached to this Department, exhibiting the present manner fiscal condition of that Bureau, and the probable amount of money from A. C. which will be required for carrying the mails &c. until the 1st Hyde, Clk. January 1843, under contracts now entered into.

of Gen'l. P. O. Bureau.

I have the honor to be
with high respect
Your obt. ser.
Anson Jones
Secretary of State

The communication referred to in the foregoing letter is as follows.

Bureau of the General Post-office
28th Dec. 1841.

Hon. Anson Jones
Secretary of State

A.C. Hyde
Clk. P.O.
Bureau to
Secy. of State
showing true
and fiscal condition of that
Bureau, and
furnishing
Estimates
for 1842.

Sir,

I have the honor to transmit to you a Statement of the affairs of this Bureau taken from the books as far as I have examined, viz.

Mail Contractors for 1841	$ 8517.63
As per contracts " 1842	23195.00
Contingent expenses, Printing, Bags, Locks, Keys &c.	1500.00
	$ 33,212.63
Less Revenue for 1842 (say)	10.000.00
In Treasury funds	$ 23,212.00

The above is an estimate of the amount necessary for the carrying of the mail until the 1st January 1843.

I have the honor to be.
Sir,
Your Obt. Servt.
A. C. Hyde
Clerk Genl. Post-Office
Bureau.

Department of State
Austin, Dec. 29th 1841.

Genl. G. Harrison

Sir,

You will please furnish to this Department fifteen copies of the "Weekly Texian" for one year commencing at No. 1. Vol. 1. for the use of Foreign Legations, at $3.00 per copy.

Your Obt. Servt.
Anson Jones
Secretary of State

Department of State
Austin Dec. 28th 1841

Henry Austin Esq.

Secy. of State to H. Austin returning one of the letter which you addressed to this Department, under date of the 5th inst., with some accompanying papers of your late distinguished Relative by blood, Genl. S. F. Austin. In accordance with your request I have laid the papers before His Excellency, the President, who, after an attentive perusal of the same, has directed me to return you his acknowledgements for the interest for the Pres. you have shown in this matter, to assure you of his great respect for the for his consideration. and the delay, incident to their reception, prevent them from being practically available in the present situation of our County and its legislation. I therefore, by his direction, comply with the request contained in the conclusion of your note to him, and herewith return you the papers.

Sir,

I have the honor to be,
with high regard,
your Obt. Servt.
Anson Jones
Secretary of State.

Department of State
Austin 30th Decr. 1841.

Sir,

Chf. Clk. to Congress giving information of the resignation of the Hon. Geo. W. Terrell, Judge of the 5th Jud. District

I am instructed by the Secretary of State to notify the Hon. Congress that the resignation of the Hon. Geo. W. Terrell, Judge of the fifth Judicial District — to take effect on the 1st January 1842, — has the resignation been received at this Department.

of Hon. G. W. Terrell, Judge of 5th Jud. District

Very Respectfully -
your Obt. Servt.
Jo. Waples
Chf. Clk. Dept. of State.

To the Speaker of the H. of Repr.
and President of the Senate.

259.

Department of State.
Dec. 30th 1841.

Sir,

Your communication of to day resigning the office of Judge of the fifth Judicial District - to take effect on the 1st. January 1842 - has been received and laid before his Excellency, the President, who has been pleased to signify his acceptance of the same to me, and to direct information thereof to be communicated to Congress. He has also directed me to say to you that he duly appreciates the sentiments you have expressed, in retiring from an office the duties of which you have discharged with distinguished integrity and ability, and assuming those of another of great responsibility, immediately connected with his administration of the Government.

I beg leave to return you my warmest thanks for your kind expressions for myself, individually, and to assure you, Sir, I most cordially and devoutly unite in the wish you have made, that union, harmony and wisdom may so govern and direct our Councils, that our Country may be thereby redeemed from the ruin which for some time has been so fearfully impending.

I have the honor to be
With high regard
Your Ob't. Sv't
Julian Jones.

Hon. G. W. Jewell.

To the associate Justices of the County Court
of the County of Harrison.

Whereas an act entitled "An Act giving the election of Chief Justices of the County Courts to the people", approved Jan'y 7th 1841, requires the Secretary of State to issue writs of election, to fill the vacancies, in all cases where the offices of Chief Justice of the County Court may now be vacant, and whereas "An Act to extend the duties of associate Justices of the County Courts", approved 3d January 1842, makes it the duty of the associate Justices, in case of the inability of the Chief Justice of the County Court to discharge the duties of his office, or in case of a vacancy in said office, to perform the duties of the same, during the continuance of such inability, or until the vacancy be filled; and whereas the office of Chief Justice of the County Court of the County of Harrison is now vacant:

You are therefore hereby directed and required to hold an election in the said County of Harrison, for the election of a Chief Justice for said County, giving legal notice of said election, appointing presiding officers, and conducting the same, in all respects, in accordance with the provisions of the Act regulating elections, approved 26th October 1837, and make due return thereof to this Department.

Given under my hand and seal of office, at the City of Austin, this 4th day of January, in the year 1842.

(L. S.)

Anson Jones
Secretary of State.

Similar writs, of the same date, have also been issued, directed to the proper officers of the following Counties, (in all which there was a vacancy in the office of Chief Justice at the said date) to wit: Travis, Houston, Spring Creek, Burnet, Washington, Panola, Brazoria, Victoria, San Patricio and Goliad.

Department of State
Austin 5th January 1842.

To

Ford Robinson Esq.
Chairman of Com. on Finance,

Sir,

Your note of this date asking information relative to the amount of contingent funds required for this Department and its bureaus for 1842 has been received. I have to reply that the Department will require

For the fitting up a house with Shelving &c. for a Store-room for books, laws &c.	$300.00
Stationery	200.00
Wood, Water, candles	175.00
Extra printing, Proclamations, Advertisements, Blanks &c.	233.00
Seals of Office &c.	50.00
	$958.00
For the General Post-office will be required for the purchase of Mail Bags, Locks, Keys, Stationary, Wood, Water, candles and for Printing	1500.00
For two Porters for Gov't Offices	600.00
For am't due to Porters for last year.	100.00
	$3158.00

The first item in the above estimate is indispensable; the books, laws &c. now on hand are in a very unsafe situation— besides they are accumulating in the Dep't, and we shall have no room for the laws and journals of this Congress when published, unless we get the house filled up as contemplated in this estimate. The house we want belongs to the Government and is unoccupied.

The Secretary of State or some other Officer of Gov't should be authorized to employ two Porters for the Gov't Offices. to be hired for $300 per year each. I have put in this esti

The Govt. is now indebted for four months service hire for last year $100. which is also included in this estimate.

Very Respectfully
Your Obt. Servant
Anson Jones.

Department of State
Austin 8th Jany 1842.

Sir,

In compliance with a resolution of the Senate (without date) requesting the Secretary of State to inform the Senate, as to the number of copies of the laws of '38, '39, '40 and '41, remaining on hand in the State Department;— I have the honor to inform the Hon. Senate, that, of the third vol., or laws of May 1838, there are now on hand about 475 copies,— of the 4th vol., or laws of 1838 and 1839, about 1000,— of the fourth Congress 1839 & 1840 about 1200,— of the 5th Congress 1840 & 1841 about 1200; besides one hundred bound copies of the 1st. 2nd. 3rd. and 4th vols.

Very Respectfully
Your Obt. Servt.
Anson Jones
Sec'y. of State.

Hon Edward Burleson
President of the Senate.

Dept. of State, Jan. 10th 1842.

To the President of the Republic

Sir,

I have the honor to enclose you herewith the copy of a communication from the Clerk in charge of the Bureau of the General Post Office attached to this Department. As the business of that Bureau is now much in arrear, and constantly accumulating, and as the examination of the quarterly returns, and the comparison of one with another necessarily require the assistance of two persons at the same time, without which the business of the office can not progress, I would respectfully suggest that the subject be referred to the Honorable Congress for its action.

According to the existing law but one Assistant Clerk is allowed to this Department, whose whole time is more than required in

copying the laws for publication, and in recording the multifarious correspondence, foreign and domestic, to and from this Department, the duties of which is now some months in arrear. It is believed, however, that with the aid of one additional assistant Clerk, to this Department, its business as well as that of the General Post Office, could be brought up, and regularly and properly progressed with in future. Without this assistance however, these desirable objects can not be accomplished.

I have the honor to be,
with the highest respect,
Your Ob[t] Servant
Anson Jones.

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